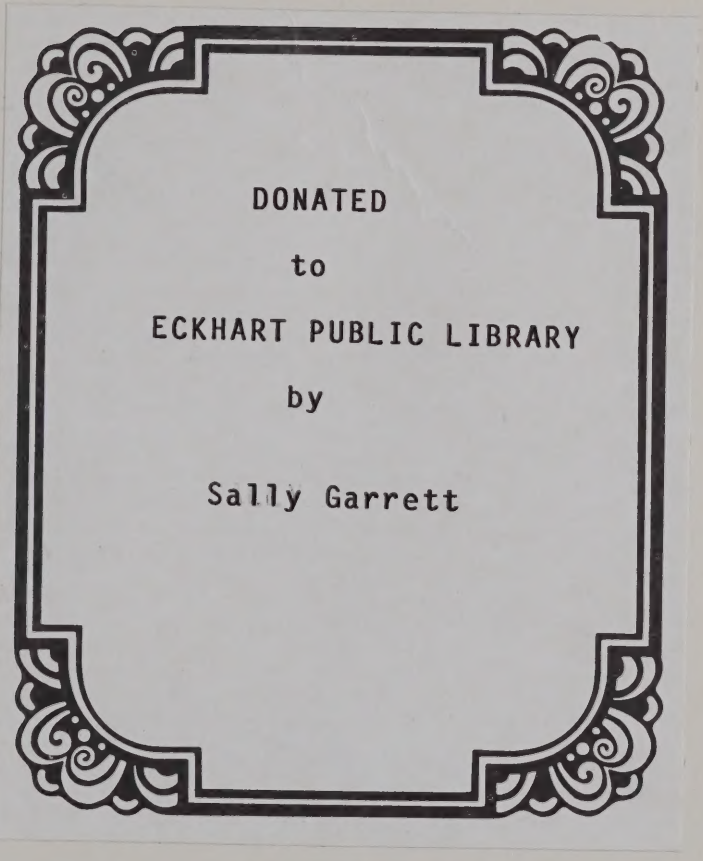
929.3
LUGR
Lacl
(Grandy)

ECKHART PUBLIC LIBRARY
603 S. Jackson
Auburn, IN 46706

7-98

Book Donated to
Family History Research Library
Stevensville, Montana



BOOK I Bk. 1

L A G R A N G E C I R C U I T C O U R T

July A. D. 1832 Sept 23 1835

July 1832 - Sept. 1835

Compiled by

Gene Plasterer

Court Reporter

1935 -

1976

BOOK I

LAGRANGE CIRCUIT COURT

July A. D. 1832 Sept 23 1835

Compiled by

Gene Plasterer

Court Reporter

1975

This Book Rebound

Feb 26/ 1949

Ledger Yoder, Clerk

L A G R A N G E C I R C U I T C O U R T

Established in the year of Our Lord - 1832

Hon. Charles H. Test

President Judge

Luther Newton and

Ephraim Seely, Associates

J. T. Hobbs Clk

This Book Rebound

Feb 26/ 1949

Ledger Yoder, Clerk

LAGRANGE CIRCUIT COURT

Established in the year of Our Lord - 1832

Hon. Charles H. Test

Presiding Judge

Luther Newton and

Ephraim Seely, Associates

J. T. Hobbs Clk

LaGrange Circuit Court July A. D. 1832

p.
1 Gustavus Swan)
)
vs) Action of Debt
)
Asahel Savery) Continued for process

Moses J. Hill)
)
vs) Action of Trespass on the Ease
)
Benjamin Corder) Continued with

List of Grand Jurors Elected by the County Commissioners July 2nd 1832 to wit John B. Clark Benjamin Blair Thomas Gale George Donaldson Samuel Hall Jesse Champlin Samuel Anderson Jonathan Gardner Joseph Kerr Evenezer Fish Benjamin Gale Ami Lawrence Jacob Croy William Thrall Isaac Volgamot Jacob Gage Samuel Fish Oliver Closson

List of Petit Jurors Elected as aforesaid to wit

Otis Newton John Langdon Andrew Woodward Gidion Langdon Isaac Gage Felix Miller William Miller John Anderson William A. McNeal Jun. Jacob Miller Richard Gorthrop Jacob Staner Nathaniel Cullhan Samuel Burnsides Asy Olney Francis A. Blair Benjamin Corder Lemuel Fobes Samuel Gorthrop William Stevenson John Staner John Olney Asy Adams John Gardner

[p.
]

p. 3

October Term 1832

At a term of the LaGrange County Circuit Court began and held at the house of Moses Rice within & for the said county and State of Indiana, on the twenty second day of October in the Year of our Lord one thousand eight hundred and thirty two, in conformith with an act of the General Assembly of the State of Indiana entitled "An act for the formation of the county of Lagrange" Approved the 2.d day of February 1832 - Present the honorable Clarles H, Test president Judge of the Sixth Judicial circuit of the said State of Indiana, who now here in court produces his commission as such from the Governor of said State hearing date the 23.d Jany. 1830, and on which is endorsed the oath of office & the oath to support the constitution in due form of law bearing date the 10th February 1830 -

Joshua T. Hobbs Clerk Elect of the Lagrange circuit court now produces to the court his commission as such, on which is in due form of Law is endorsed the oath of office & to support the constitution required by the Statute in such cases made and provided -

Jesse Harding Coroner elect of Lagrange county now produces a commission as such from the Governor of the State of Indiana and on which is endorsed the oath to support the constitution of the United States and the State of Indiana and the oath of office as required by law - And the said Coroner now takes his station as an officer of this court the Sheriff

elect not having qualified and Nehemiah Coldren the sheriff by appointment from the Governor being absent

The Coroner of Lagrange County now here brings into court the following panel of Grand Jurors heretofore summoned by the sheriff by virtue of a venire facius heretofore issued to him in that behalf & by him duly returned towit - Thomas Gale who is by the court appointed foreman and is sworn as such & Ebenezer Fish Ami lawrence W. Thrall Isaac Wolgamot Samuel Fish Oliver Clossen Jonathan Gardner Benjamin Gale Samuel Anderson John Langdon William Miller John Anderson W. A. McNeal Jr Richard Gorthrop who were likewise severally sworn and charged and retired to consult of their business attended by the several officers

p. 4

October Term 1832

State of Indiana)
)
vs) On Recognizance
)
Joel Leverich)

Now at this Time comes Luther Newton Associate Judge of this court - and produced his commission signed by the Governor of the State of Indiana dated on the 22nd day of May A. D. 1832 on which is endorsed in due form the oath of Office and the Oath to support the Constitution of the United States and the constitution of this State

Ordered by the court that on motion of M. Ray, Neal McGaffy is

admitted attorney and Counsellor at the bar of this Court Ex Gracia for the present Term - and sworn as such.

On Motion Samuel C. Sample is admitted as an Attorney & counsellor at law at the bar of this court, and sworn as such.

On Motion Martin M. Ray is admitted as an Attorney and counsellor at law at the bar of this court, and sworn as such -

Samuel C. Sample Esquire, a regularly license Attorney is appointed the Prosecuting Attorney for the county of La Grange during this present Term of the court in the place of William J. Brown the regular circuit Prosecutor who is not in attendance on the court on account of sickness, and the said Samuel C. Sample is sworn as such -

Ordered by the Court that Joseph Kerr be appointed a Bailiff to attend on the court during its present setting, who was sworn to a faithful discharge of his duty as such -

p. 5

October Term A. D. 1832 -

Ordered By the court that Daniel Harding be appointed a Bailiff to Attend on the Grand jury during the present setting who was sworn to a faithful discharge of his duty as such -

Gustavus Swan)
)
vs) Action of Debt
)
Asahel Savery)

On Motion of M. M. Ray Esquire this cause is continued until the next Term of this court, and an alias capias is awarded -

Moses J. Hill)
)
vs) Action on the case -
)
Benjamin Corder)

On Motion of Samuel C. Sample Esquire the laintiffs Attorney this cause is continued unti the next Term of this court (the declaration not having been filed in due time) and leave is granted the plaintiff to amend his declaration in sixty days, & day is given &C -

Now at this time comes into court Ephraim Seely Esqr. and produced his commission as Associate Judge of this court upon which is endorsed in due form the oath of office also an oath to support the Constitution of the United States and the Constitution of this State, and thereupon takes his Seat as such -

p. 6

October Term 1832.

And the court adjourned until tomorrow morning 9 Oclock -

Signed the 23d. Day of Oct. 1832

Charles H. Test

Tuesday Morning 9 Oclock October 23d 1832 the court met pursuant to adjournment present the same Judges and officers

of court as on yesterday -

Moses J. Hill petition for)
)
writ of Ad quod Damnum)

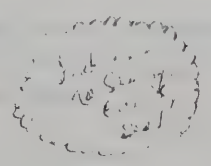
And now at this day here comes Moses Hill in open court in this behalf in these words (here insert it) Whereupon the court having seen and inspected said petition and all matters therein being understood, made the following order in the premises towit: - It is ordered by the court that the clerk do forthwith issue the writ of ad quod Damnum directed to the sheriff of the county of LaGrange commanding him to summon and impannel twelve free holders & householders of LaGrange County to meet on the said land proposed for the abutment of said dam on the first Monday of December next, and that he swear and charge such Jury to impartially and to the best of their skill and Judgment, view the land proposed for the said abutment and to

October Term 1832

p. 7 examine the land above and below being the property of others, which may probably overflow, by reason of the raising of said dam, and say what damage it will be to the several proprieters, and whether the mansion house of any proprieter or proprieters,

or the offices, curtileges or gardens thereunto immediately belonging will be overflowed, to inquire whether and in what degree fish of passage, or ordinary naveigation will be obstructed, whether by any and what means, such destruction may be prevented, and whether in their opinion the health of the neighbors will be annoyed by the stagnation of the waters - And such inquest when so made and sealed up by the said Jury, together with said writ shall be returned by the said sheriff into court on the first day of the next succeeding term - ~~And this matter is continued~~ [sic] and thereupon the said Joshua T. ~~Ordered by the court that the petit Jury~~ [sic] Hobbs, Luther Newton and Thomas Gale now come into court and freely waive notice of the time of the meeting of said Jury to make the inquest aforesaid, and freely waive all error for the want of such notice, and agree to attend if they see fit at said inquest without ~~said~~ [sic] written notice as required by the Statute, but waive no other rights, which of right may belong to them in the said proceedings except as aforesaid, and this matter is continued

The Court now adopt the following Scrawl for a Seal of the court until a seal be provided towit



The Pettit Jurors are now discharged, and the bailiff attending on the court

And this day comes Daniel Fox and makes application to make oath of his intention to become a Citizen of the United States & files his affidavit and thereupon the necessary oath is administered to him and this case is continued

October Term A. D. 1832

p. 8 Now at this time comes into Court Jasan Thurston and files his Declaration for the benefit of the Pension Laws and the said Court do hereby declare their opinion after the investigation of the matter and after putting the interogatories prescribed by the War Department that the above named applicant was a Revolutionary Soldier and served as he states. And the Court further certifies that it appears to them that Nathan J. Fowler who has signed said application is a citizen and Resident of the County of LaGrange and that Truman Bearss who has also signed the same, is a resident of St. Joseph County, Michigan Teritory and are credible persons and their statement is entitled to credit -

This day comes Frederick Hamilton and makes application to make oath of his intention to become a Citizen of the United States and files his affidavit and thereupon the necessary oath is administered and this case is continued

This day comes Thomas Barnett and makes application to make oath of his intention to become a Citizen of the United States

and files his affidavit and thereuoib tge becessary oath is administered & this case is continued

This day comes William Legg and makes application to make oath of his intention to become a Citizen of the United States and files his affidavit & thereupon the necessary oath is administered & this case is continued

This day comes Samuel Barnett & make application to make oath of his intention to become a citizen of the United States and files his affidavit & thereupon the necessary oath is administered & this cause is continued -

p. 9

October Term 1832.

And the court adjourned until tomorrow morning 9 Oclock.

Signed the 23th Day of October 1832.

Charles H. Test

Wednesday morning 9 Oclock October 24th 1832

Court met pursuant to adjournment present the same Judges and officers of court as on yesterday -

~~It is ordered~~ [sic]

The grand Jury now come into court and return sundry bills of indictment found by them as true bills and signed by their foreman as such, and having further business they retire to their room attended by a sworn officer

The grand Jury now comes into court and returns one bill

of indictment found by them as a true bill and signed by their foreman as such and having no further business they are discharged by the court from further attendance during this Term -

It is ordered by the Court that writs of capias ad respondendum do issue on all indictments found at the present term and that the Sheriff or other serving them require of the defendants in ~~perjury~~ [sic] all cases of perjury to enter into recognizance in the sum of two hundred dollars with surety in the like sum, ~~the~~ [sic] fifty dollars in cases of riot, fifty dollars in cases of trespass, and twenty five dollars in cases of Assault & Battery & retailing without license

All pleas plaints and prisecutions not otherwise disposed of be and the same are hereby continued

p. 10

October Term 1832

A general rule is granted to take depositions both within and without the State

Ordered by the court that Daniel Harden by [sic] allowed Three Dollars for his attendance as bailiff on the Grand Jury - Ordered by the Court that Joseph Kerr be allowed two dollars for his attendance on the Court as vailiff - And this court adjourned

Signed on the 24th day of October A. D. 1832

Ephraim Seely)
)
Luther Newton) Associate

Judges -

State of Indiana)
)
Lagrange County) On this twenty third day of October 1832, personally appeared in Open court in thr circuit court of Said county, William Legg and makes Oath that it is his bona fide intention to become a citizen of the United States and to renounce forever all allegiance and fidelity - to and fidelity [sic] to any foreign prince potentate State or Sovereignity - whatever particularity, the kink [sic!] of Great Britain & Ireland whereof he is a Subject William Legg -

Attest J. T. Hobbs Clerk

And the said William Legg hereby reports himself for Registry as an Alien as follows

I William Legg am fifty two years of age and was born in Yorkshire in the Kingdom of Great Brittain Subject to William the forth [sic] arrived in the United States in Jan 1832 and now resides in Lagrange County Indiana -

Attest J. T. Hobbs.

p. 11 List of Grand and Petit Jurors selected by the board of Com. of LaGrange County -

For The Term of May 1833 -

Grand Jurors - to wit Thomas Gale Otis Newton John Jewett Nehemiah Coldren Jonathan Gardner John Langdon Micajah Harding Rob. Latta Samuel Fish Ebenezer Fish Samuel Robinson Isaac Wolgamot Samuel Anderson Benjamin Gale John Anderson George Egnew Ami Lawrence James Hostetler & John B. Clark

Petit Jurors Arthur Burrows Samuel Hall Datus Newton John Gardner Obediah Lawrence Samuel B. Burnside Valentine Ewing William Leverich Joseph Kerr John Olney Robert Johnson William Gardner Benjamin Corder Gideon Langdon Jacob Gage John Willer George Donaldson Jesse Champlin William Fish Jacob Miller Samuel Gorthrop Felix Miller - William McConnell

p. 12

May Term 1833

At a Term of The LaGrange County Circuit Court began and held at the house of Moses Rice within and for the Said County and State of Indiana on the thirteenth day of May in the year of Our Lord One Thousand Eight hundred and Thirty Three in conformity with an act of The general Assembly of The State of Indiana providing for The Time of holding The Circuit Court in said County -

Present The Honorable Gustavus A. Everts Presiding Judge of The Eighth Judicial Circuit of The State of Indiana, who now here in court produces his commission as such from The Governor of The said State bearing date the 9th.. January A. D. 1833 and

on which is indorsed in due form of Law an Oath of Office & an oath to Support the constitution of The United States and The constitution of The State of Indiana as required by The Statute in such case made and provided - and also ----Ephraim Seely and Luther Newton Associate Judges---- [sic] William Thrall, Sheriff acting under and [sic] appointment from The Governor of said State now here in court produces his commission as such signed by the Governor aforesaid and bearing date The on which is indorsed in due form of Law an oath of Office and an oath To support the Constitution of The United States and The Constitution of the State of Indiana bearing date as required by The Statute in such case made and provided John M. [B.?] Chapman Prosecutor elect now here in court produces his commission as such signed by The Governor of The State of Indiana bearing date the 10th day of January 1833 and on whcih is indorsed in due form of Law an Oath of Office and an Oath To Support The constitution of The United States and The constitution of The State of Indiana as required by the Statute in such case made and provided -

William Thrall the sheriff of Lagrange county in obedience to a venire facia for that purpose heretofore directed to him now ~~return~~ [sic] brings into court the following panel of Grand Jurors to seeve as such during the present term towit - Thomas

Gale who is by the court

p. 13 May Term 1833

appointed foreman of the said Grand Jury and is sworn as such Otis Newton, John Jewett, Nehemiah Coldren, John Langdon, Micajah Harding, Samuel Fish, ~~Samuel Fish~~ [sic] Ebenezer Fish, Samuel Robinson, Benjamin Gale, John Anderson, George Egnew, Ami Lawrence, & John B. Clark, fourteen of said Grand Jurors, and no more of the said panel appearing the said sheriff now summons Timothy R. Wallace, a bystander who with the aforesaid fourteen persons made fifteen good and lawful men householders and freeholders of the county of Lagrange who being sworn and charged in open court ~~to diligently~~ [sic] retire to their room to deliverate attended by Thiram Harding a Sworn bailiff of the court

On motion of Samuel C. Sample, Charles W. Ewing, John B. Chapman, Jonathan I. Leiston, David H. Colerick and Samuel W. Parker Esqrs are admitted to practise at attorneys and counsellors at law at the bar of this court, and are now in open court severally sworn as such -

Neale M'Affey Esqr. having produced to the court a license in due form of law ~~signed by~~ [sic] to practise as an attorney and counsellor at law in the circuit and inferior courts in the State of Indiana, he is on motion admitted to practise as such attorney and counsellor at the bar of this court, and is now sworn to support the constitution of the United States &

the constitution of the State of Indiana and to faithfully discharge his duties as such attorney & counsellor at Law -

Joseph L. Jernigan Esqr. is on motion of Jonathan A. Leiston Esqr is admitted to practise as an attorney & counsellor at law at the bar of this court ~~during-the-present-term~~ [sic] & is accordingly sworn as such -

p. 14

May Term 1833

State of Indiana)
)
vs) Assault & Battery
)
Joel Leverich)

Now comes John Chapman Esqr prosecuting the pleas of the State of Indiana and the defendant upon said [?] in his own proper person also comes and being placed to the bar of the court and it being forthwith demanded of him how he will acquit himself of the offence charged in the said indictment against him, for plea thereto he says he is guilty in manner and form as he therein stands charged, - Whereupon the court assess the defendants fine at the sum of one dollar - It is therefore considered by the court that the said State of Indiana do recover against the said defendant the sum of one dollar as above assessed, besides her costs in this prosecution sustained and that he stand committed in the custody of the sheriff until the said fine & costs be paid or replevied. - And thereupon here comes into open court Frederick Hamilton and

Ica F. Rice who acknowledge themselves to replevin bail and security for said defendant for the payment of the above fine and costs accrued and all costs to accrue within three months from this date

State of Indiana)
)
vs) On Indictment for Assault & Battery
)
Joel Leverich)

Now comes John B. Chapman Esqr Prosecuting the pleas of The State of Indiana and the defendant aforesaid in his own proper person came also, and being placed at the bar of the court and it being forthwith demanded of him how he will acquit himself of the offence charged in said indictment for plea or answer thereto he says he is guilty in manner and form as he therein stands charged Whereupon the court assess the defendants fine at Two Dollars It is Therefore considered by the court That the said State of Indianado recover against the said defendant the sum of Two Dollars as above assessed besides his costs in this prosecution

p. 15 May Term 1833

sustained, and that he stand committed in the custody of the Sheriff untill the said fine and costs are paid or replevied. And Thereupon here comes in open court Frederick Hamilton and Ica F. Rice who adknowledge themselves replevim bail and security for said defendant for the payment of the above fine and costs accrued and all costs to accrue within Three months from

this date

State of Indiana)
)
vs) Indictment for Assault & Battery
)
Joel Leverich)

Now at this Time comes John B. Chapman Esqr prosecuting the pleas of The State of Indiana and the defendant in his own proper person comes also, and being placed at The bar of The court and it being forthwith demanded of him ow he will acquit himself of The offence charged in said indictment, for plea or answer Thereto saith That he is guilty in manner and form as he stands charged in said indictment, whereupon The court assess The fine of Five Dollars. It is Therefore considered by The court That The said State of Indiana do recover of said defendant The Sum of Five Dollars as above assessed besides her costs in This prosecution sustained, and that The said defendant stand committed in The custody of The Sheriff untill the said fine and costs are paid or replevied And Thereupon here comes into open court Frederick Hamilton and Ica F. Rice who acknowledge Themselves replevin bail and security for said Defendant for the payment of The above fine and osts accrued and all cost to accrue within Three months from This date

State of Indiana)
)
vs) On Recognizance to Keep the Peace
)
John Cline)

Now comes The parties and Thereupon the complainant William Gale now in Open court admits and says he will no further prosecute said complaint

p. 18

May Term 1833

Holton & Hughes)
)
vs)
)
Joseph Holman) Assumpsit - Change of Venue from
)
Anthony L. Davis) the Allen Circuit Court
)
George B. Walker)
)
Chancey Carter)

And now here comes Samuel C. Sample ~~and~~ [sic] being the person employed by the clerk of the Allen county circuit court to convey the papers in this behalf to the clerk of this circuit court and produces in court the original praecipe in this cause and the following declaration originally filed in said suit towit: (here insert it) and the following transcript from the records of the said Allen circuit court towit: (here insert it) Whereupon by order of the court the clerk enters the said cause on his docket & files said papers, and the court now here ~~tax-the-mileage~~ [sic] allow the said Samuel C. Sample for bringing up the said papers to this court at the sum of <u>four dollars</u> which sum the clerk is ordered to tax with the costs of the said suit & this cause is continued &c -

State of Indiana)
)
vs) Indictment for perjury
)
Moses J. Hill)

Now here comes John B. Chapman prosecuting the pleas of the State of Indiana and the defendant in his own proper person also comes and being set to the bar of the court and it being forthwith demanded of himself of the perjury [sic] how he will acquit himself of the charge of perjury in said indictment contained for plea thereto he says he is not guilty and for trial thereof he puts himself upon the country and the said prosecuting attorney doth so likewise, and thereupon here comes a Jury to try said issue towit: Samuel Hall Obediah Lawrence Samuel G. Burnside Valentine Ewing Joseph Kerr Gideon Langdon Jacob Gage Jesse Champlin Jacob Miller John Kromer Felix Miller and

p. 19

May Term 1833

Richard Fowler twelve good and lawful men of the county of Lagrange aforesaid who were elected tried and sworn the truth to speak upon the issue joined as aforesaid upon their oath aforesaid do say and find the following verdict towit "We the Jury do find the defendant not guilty" - It is therefore considered by the court that the said defendant as to said offence and indictment do go hence without day

State of Indiana)
)
vs)
)
Ira Leverich) Indictment for a riot
)
John Leverich)
)
Henry Switser)

Now here comes John B. Chapman prosecuting the pleas of the State in this behalf and the said defendants in their own proper persons also come and being set to the bar of the court and it being forthwith demanded of them how they will acquit themselves of the charge of riot in said indictment contained against them for plea thereto they say they are not guilty in manner and form as they stand charged and for trial thereof they put themselves upon the country and the prosecuting attorney aforesaid doth the like - and thereupon here comes a Jury to try said issue towit: John Comer - Samuel Burnside - Valentine Ewing - Joseph Kerr - Jesse Champlin - ~~Benjamin Corder~~ [sic] Daniel Harding - ~~John~~ [sic] Felix Miller - Gideon Langdon - Samuel Hall - Arthur Burrows, Jacob Gage - & Jacob Miller - twelve good and lawful men of the county aforesaid who being elected tried and sworn the truth to say and a true verdict to give upon the issue joined as aforesaid ~~upon their oath aforesaid do say and find the following verdict towit:--We the Jury do find the defendants~~ [sic] after having heard the evidence retire to their room to deliberate under charge of a sworn officer, & day is given the parties -

May Term A. D. 1833

State of Indiana)
)
vs) Recognizance to Keep the Peace -
)
William P. Bromley)

And now comes the said William P. Bromley by M. Ray his council, and moves the court to discharge him from the said recognizance for the event of a sufficient affidavit - and no good cause against said motion having been shown by the counsel on the part of the State, the court discharged the said Bromley from the said recognizance -

And the court adjourned until tomorrow morning at 8 Oclock -

Signed the 15th May 1833

G. A. Everett

Wednesday Morning 8 Oclock May the 15th 1833 the court met pursuant to adjournment present the same judges and officers fo court as on yesterday -

Benjamin Gale)
)
vs) Appeal
)
Archibald Scott)

Now come the parties and a rule is granted on motion of the plaintiff against ~~the~~ [sic] Edmund Littlefield Esqr, the Justice before whom this cause was trued to bring into court forthwith the original cause of action in this behalf - & day is given

Moses J. Hill)
)
vs) Slander
)
Oliver Closson)

Now come the parties and a rule is granted against the said defendant to plead in this cause on or before ~~the~~ [sic] its next calling ~~of this cause~~ [sic] & day is given

p. 21

May Term 1833

State of Indiana)
)
vs)
)
Ira Leverich) Riot
)
John Leverich)
)
Henry Switzer)

Now come the parties aforesaid and thereupon here comes into court the Jury heretofore empannelled & sworn in this behalf and upon their oath aforesaid do say and find the following verdict towit "We the Jury do find the defendants not guilty" It is therefore considered by the court that the said defendants as to the said offence and indictment do go hence without day

State of Indiana)
)
vs) Retailing
)
Nancy Burrows)

Now comes ~~the~~ [sic] John Chapman Esqr prosecuting the pleas of the State of Indiana and the defendant ~~in~~

[sic] by her ~~own-proper-person~~ [sic] attorney also comes and for plea to the ~~said~~ [sic] indictment aforesaid she says she is not guilty and by the consent of the parties the issue in this behalf is submitted to the decision of the court, and thereupon ~~Arthur-Burrows~~ [sic] the court having heard the evidence & the argument of the parties are of opinion that the said defendant is guilty in manner and form as she stands charged in said indictment and that she make her fine in the sum of two dollars -

It is therefore considered by the court that the State of Indiana do recover against the said defendant the sum of two dollars as above assessed besides her costs and charges in this behalf expended, and thereupon comes personally into open court Arthur Burrows and acknowledges himself replevin bail and security for the payment of the above judgment and all costs accrued accruing or to accrue within three months from this date -

p. 22

May Term 1833

State of Indiana)
)
vs) Indictment for trespass
)
William Leverich)

Now comes John Chapman Esqr. prosecuting the pleas of the State of Indiana and the defendant in his own proper person comes also and for plea to the indictment aforesaid says he is not guilty as charged therein and for trial

thereof he puts himself upon the country & the prosecuting attorney aforesaid doth the like and thereupon here comes a Jury to try the issue aforesaid towit: Jacob Miller Benjamin Corder Robert Johnson Joseph Kerr Obedian Lawrence Jesse Champlin Arthur Burrows Jacob Gage William Fish Felix Miller Samuel Hall & Gideon Langdon Twelve good and Lawful men, freeholders and householders of The County of La grange aforesaid who were elected tried and sworn the truth to say upon the issue joined as aforesaid upon their oath aforesaid do say and find the defendant not guilty - It is therefore considered by the court that the said defendant as to said indictment & offence do go hence without day -

The Grand Jury now come into court & return sundry bills of indictment found by them as true bills and signed by their foreman as such and have further business they retire to their room under the conduct of a sworn officer -

State of Indiana)
)
vs) Indictment for Trespass
)
Andrew Newhouse)

Now at This Time comes John B. Chapmen Attorney Prosecuting The pleas of The State in This behalf and Andrew Newhouse The defendant in his own proper person comes also and being arraigned at The bar of This court and it being demanded of him how he will acquit himself of The charges preferred against him in said Indictment for plea or answer there-

to saith - he

May Term 1833

p. 23 is not guilty in manner and form as he therein stands charged and for trial for good and evil thereof he puts himself upon the country and The said John B. Chapman who prosecutes doth o likewise and Thereupon here comes a Jurry to Try The issue Joined aforesaid towit Joseph Kerr Benjamin Corder, Robert Johnson, Datus Newton, Valentine Ewing, William Fish, Obediah Lawrence, Jacob Miller, William Leverich, William Fish [sic], Gideon Langdon, & Arthur Burrows twelve good and lawful men of the county of Lagrange aforesaid who were elected tried & sworn the truth to say and a true verdict to give upon the issue Joined as aforesaid upon their oath aforesaid do say and find the following verdict towit "We the Jury do find the defendant not guilty" It is therefore considered by the court that the defendant aforesaid as to the offence and indictment aforesaid go hence without day -

Gustavus Swan)
)
vs) Action of Debt
)
Asahel Savery)

Now comes the plaintiff & voluntarily suffers a non suit [?] and withdraws the papers in this suit Whereupon it is ordered by the court that the plaintiff pay the costs in this behalf within sixty days or in default thereof an attachment will issue &c -

State of Indiana

vs [sic]

p. 24

May Term 1833 - -

State of Indiana)
)
vs) Trespass
)
Micajah Harding Junr)

Now comes John B. Chapman Esqr prosecuting the pleas of the State of Indiana in this behalf and the defendant in person comes also and for plea to the said indictment he says he is not guilty in manner and form as he stands charged and for trial thereof he puts himself upon the country and the said prosecutor doth the like and thereupon here comes a Jury to try said issue towit: Joseph Kerr - Benjamin Corder - Robert Johnson - Valentine Ewing - William Leverich - Obediah Lawrence - Jacob Miller - William Fish - Gideon Langdon - Arthur Burrows - Samuel Burnside and William Gardner twelve good and lawful men of the county of Lagrange aforesaid who being elected tried & sworn the truth to say & a true verdict to give upon the issue joined as aforesaid upon their oath aforesaid do say and find the following verdict towit "We the Jury find the defendant not guilty It is therefore considered by the court that the said defendant as to said indictment & offense do go hence without day -

State of Indiana)
)
vs) Trespass
)
Jesse Harding)

Now comes John B. Chapman Esqr prosecuting the pleas of the State in this behalf and the defendant in his own proper person also comes and for plea to said indictment says he is not guilty in manner and form as he stands indicted ~~towit~~ [sic] and for trial thereof he puts himself upon the country and the prosecutor aforesaid doth the like and thereupon here comes a Jury to try said issue towit: Joseph Kerr - Benjamin Corder - Felix Miller - William Gardner - Valentine Ewing - William Leverich - Obediah Lawrence - Jacob Miller -

p. 25

May Term 1833

William Fish - Gideon Langdon - Arthur Burrows - Samuel Burnside twelve good and lawful men of the county of Lagrange aforesaid who being elected tried and sworn the truth to say and a true verdict to give upon the issue aforesaid upon their oath aforesaid do say and find the following verdict towit: "We the Jury find the defendant not guilty" It is therefore considered by the court that the said defendant as to the offense in said indictment charged do go hence without day -

State of Indiana)
)
vs) Trespass
)
James Leverich)

Now here comes John B. Chapman Esq prosecuting the pleas of the State in this behalf and Says he will no further prosecute the said indictment against the said defendant - It is therefore considered by the court that the said defendant as to said indictment go hence without day -

And the court adjourned until tomorrow morning at 8 O'clock

Signed the 16th day of May A. D. 1833

G. A. Everett

Thursday morning 8 Oclock May 16th 1833 the court met pursuant to adjournment present the same Judges and officers of court as on yesterday

Samuel Hall)
)
vs) Assumpsit
)
Andrew Crawford)

And now at this day here come the said parties by their counsel and the plaintiff now

p. 26

May Term 1833

here moves the court for a rule against Micajah Harding Esqr the Justice of the peace before whom this cause was original-

ly tried to bring into court the original matter of defence filed in this behalf by the defendant, and thereupon the said Justice of the peace forthwith comes into court in discharge of said rule ~~against-him~~ [sic] and is on motion of the said defendant sworn before the court to state concerning the said defence, whereupon the said Justice upon his oath aforesaid saith that the only defense filed before him by the said defendant on the trial of the said ~~issue~~ [sic] cause ~~before-him~~ [sic] was non assumpsit and no other was filed and that it was his opinion he had returned the said defense to the clerk with the other papers of the cause on the taking of this appeal, and that if it was not so returned it is lost, as he has made diligent search among his papers for said plea but cannot find it - And thereupon the said plea is not ~~being~~ [sic] found on the files of this court ~~leave-is-granted-the-defendant-to file-the-plea-of-non-assumpsit-in-this-court~~ - [sic]
And thereupon the court on motion of the ~~plain~~ [sic] defendant grants a rule against thr said Justice to bring into court on or before the next calling of this cause the original summons issued by him in this behalf - And thereupon the plaintiff also asks and obtains a rule against the said defendant to show cause on or before the next calling of this cause why this appeal shall not be dismissed for the want of a sufficient appeal bond & day is given

George Egnew)
)
vs)
)
Oliver Clawson)

Now come the said parties by their counsel and on motion of said ~~defen~~ [sic] plaintiff on affidavit filed this cause is continued at the ~~defen~~ [sic] plaintiffs costs It is therefore ordered by the court that said plaintiff do pay the costs of the present term of this court & the costs of this continuance within sixty days or in default thereof an attachment will issue against him to compel their payment

p. 27

May Term 1833

Moses J. Hill)
)
vs) Trespass on the case
)
Oliver Clawsson)

Now come the said parties and thereupon on motion of the said defendant on affidavit filed this cause is continued until the next term at the costs of the defendant - It is therefore ordered by the court that the said defendant do pay the costs of this term & continuance within sixty days or in default an attachment will issue against him to compel their payment - And the rule to plead in this behalf heretofore taken is extended to the first day of the next term, and it is ruled against the defendant that unless he plead in this cause on or before the first day of next term judgment will be rendered against him for want of such

plea & this cause is continued

Robert Hamilton)
)
vs) Debt
)
Joseph Kerr)
)
Daniel Fox)

Now come the parties by counsel and thereupon by agreement of the said parties this suit is dismissed at the costs of the defendants, and that the said plaintiff have leave to withdraw his papers in this behalf - It is therefore considered by the court now here that the said suit stand dismissed and that the plaintiff do recover against the said defendants his costs and charges in this behalf expended

Andrew Drouillard)
)
vs) Assumpsit
)
Daniel Fox)

Now come the said parties and thereupon by agreement this cause is submitted for trial to the sumary decision of the court - Whereupon the court having heard the evidence ~~and after [.....] deliberation thereupon had an opinion that the said plaintiff~~ [sic] but not

p. 28 May Term 1833

being sufficiently advised in the premises take the matter under consideration until tomorrow morning & day is given

The Grand Jury now comes into court and returned Sundry bills of Indictment, endorsed True bills and signed by The foreman as such also a presentment of The Condition of The County Jail - and having no further business before Them - They are discharged from further attendance during This Term -

Benjamin Gale)
)
vs) Trespass on appeal from an award
)
Archibald Scott)

Now at This day comes The parties by Their counsel and Edmund Littlefield Esqr the Justice before whom this cause was commenced comes into court in discharge of the rule heretofore taken against him and the said Justice being sworn in open court, it appears to the court from the examination of the said Justice on oath that the said plaintiff before before the commencement of this suit had filed a succinct statement of his cause of action in writing, that the said cause of action was a complaint in trespass against the defendant for the beating, injuring and wounding a mare of the said plaintiff, and that the said cause of action since said trial had before him is lost or mislaid so that it cannot be found and thereupon the plaintiff by leave of the court now files the following substituted cause of action in this behalf (here insert it) To the filing of which cause of action the defendant objects whereto objection is overruled by the court - And thereupon the defendant now moves the court to set aside

d Rec. $2.50 my docket fee in this case Sept 26 1834 S. C. Sample

the award in this behalf for the reason here shown the court (here insert the reasons) Whereupon the court having heard the evidence and the parties, ~~and the~~ [sic] by counsel ~~new~~ [sic] take the said motion under consideration until tomorrow morning and day is given

And the court adjourned until tomorrow morning at 8 Oclock

Signed 17th May 1833 G. A. Everett

p. 29

May Term 1833

Friday morning 8 Oclock May 17th.. 1833 the court met pursuant to adjournment present the same Judges and officers of court as on Yesterday -

Barnabus Thompson)
)
vs) Debt
)
John B. Clark)

Now come the parties and thereupon the defendant now files his six several pleas in this behalf (here insert them) and a rule is granted against the plaintiff to reply to said pleas on or before ~~tomorrow morning~~ [sic] - the next calling of this cause & day is givej

Samuel Hall)
)
vs) Assumpsit
)
Andrew Crawford)

Now come the parties aforesaid and thereupon

the said, Justice now in discharge of of [sic] the rule taken against him brings into court the original Summons issued by him in this behalf which is filed ~~by~~ [sic] in the court - And thereupon the ~~Sai~~ [sic] court now refuse to dismiss this appeal because of the informality & insufficiency of the appeal bond as alleged by the plaintiff, to which opinion of the court the plaintiff excepts and day is given -

Andrew Drouillard)
)
vs) Assumpsit on appeal
)
Daniel Fox)

Now come the parties aforesaid and thereupon the court having sufficiently advised of and [con]cerning the said matter in dispute between the parties are of the opinion that the said plaintiff is entitled to recover against the said defendant the sum of three dollars and costs - It is therefore considered by the court

p. 30 May Term 1833

that the said plaintiff do recover against the said defendant the sum of three dollars besides his costs and charges as well in this court as before the said Justice of the peace laid out and expended And thereupon the defendant gives notice that he will move the court for a new trial in this cause for reasons which he will file -

Benjamin Gale)
)
vs) Trespass on appeal from an award
)
Archibald Scott)

Now come the parties and thereupon the court having sufficiently advised of and concerning the premises overrule the motion of the said defendant to set aside the said award - It is therefore (on motion of the plaintiff) considered by the court that the said plaintiff do recover against the said defendant the sum of Seventeen dollars and fifty cents being the amount awarded to the said Benjamin Gale by the said distributors besides the sum of four dollars and eighteen cents the costs below before the Justice of the peace, and also his costs and charges in this court laid out and expended - & ~~thereupon the defendant~~ [sic] during the investigation of the above cause the defendant filed the following bill of exceptions to the opinion of the court (here insert it)

Samuel Hall)
)
vs) Assumpsit
) d
Andrew Crawford) Rec. my Docket fee in this cause S. C. Sample
Atty for pltf[?]

Now come the parties by counsel and thereupon the said defendant filed an affidavit ~~filed~~ [sic] in these words (here insert it) and moves the court upon said affidavit to allow him to file a plea in this court impeaching the consideration on which the said promissory note on which this action is founded

was given which motion of the said defendant is overruled by the court - Whereupon it is agreed by and between the parties that the amount of damages in this court in this behalf ~~should~~ be [sic] is assessed at the same sum assessed before the Justice of the peace towit at the sum of seventy five dollars and eighty four cents - the said defendant by said agreement not compromitting [sic] any rights he may have in this cause in equity - And thereupon the said defendant not further prosecuting his appeal It is therefore considered by the court that the said plaintiff do recover against the said defendant the sum of seventy five dollars and eighty four cents in damages as above agreed upon besides his costs and charges in this behalf laid out and expended as well in this court as before the Justice of the peace -

I do hereby acknowledge myself replevin bail & security for the payment of the accrued Judgment & costs and costs that may acrrue Ica F. Rice

Barnabas Thompson)
)
vs) Debt on bond
)
John B. Clark)

Now come the parties and thereupon the said plaintiff files his demurrers to the first and fifth pleas above pleaded in these words (here insert the demurrers) & to which demurrers the said defendant files his Joinder in

these words (here insert the Joinder) and thereupon the plaintiff adds the similiter to the ~~second~~ [sic] fourth and sixth of said pleas and to the second and third of which pleas the said plaintiff files his replications concluding to the country in these words (here insert them) and the court not being sufficiently advised of and concerning the said issues in law take the same under advisement until tomorrow morning & day is given

Andrew Drouillard)
)
vs) Assumpsit
)
Daniel Fox)

Now come the parties by counsel and the defendant moves the court to grant him a new

p. 32 May Term 1833

trial for reasons ~~orally shown~~ [sic] filed before the court (here insert them) which motion the court after hearing the argument of counsel take under advisement until the next term and this cause is continued

State of Indiana)
)
vs) Indictment for retailing
)
Nancy Burrows)

Now comes John B. Chapman Esqr prosecuting attorney in this behalf and the defendant in person comes also and the said prosecuting attorney moves the court to

continue this cause until the next term for reasons shown the court on affidavit, and thereupon the court sustain said motion - Whereupon the ~~coun~~ [sic] said defendant now in open court says she is guilty in manner & form as she stands indicted - and thereupon the court assess the defendants fine at the sum of two dollars - It is therefore considered by the court that the said State of Indiana do recover against the said defendant the sum of two dollars fine as above assessed besides her costs and charges in this behalf expended -

And thereupon here comes into open court Arthur Burrows and acknowledges himself replevin bail and security for said defendant for the payment of the above fine & costs & all costs to accrue within three months after the date hereof

State of Indiana)
)
vs) Perjury on indictment
)
William Brumley)

Now comes John B. Chapman Esqr. prosecuting the pleas of the State and says he will no further prosecute the said indictment against the said defendant - It is therefore considered by the court that the said defendant as to said indictment go hence without day -

p. 33 LaGrange Circuit Court May Term A. D. 1833 -

School Trustees)
)
vs) On Appeal -
)
William Enoch)

On motion of D. H. Colerick attorney for the said Defendant, a rule is granted against the Justice of the Peace, Samuel Robinson before whom the said cause was tried - to bring apace the papers of the above cause by nine Oclock to-morrow morning -

And the court adjourned until tomorrow morning at nine Oclock

Signed the 18th May 1833

G. A. Everett

Saturday Morning 8 Oclock May 18th 1833 the court met pursuant to adjournment present the same Judges as on yesterday, also present the sheriff and clerk as on yesterday

Luther Willis)
)
vs) Assumpsit
)
Nathan J. Fowler)

Now come the parties and this suit by agreement is dismissed at the Defendants costs - It is therefore considered by the court that said suit is dismissed and that the said plaintiff recover against the defendant ~~the~~ [sic] his costs & charges in this behalf expended & thereupon the plaintiff withdraws his papers

p. 34

May Term 1833

State of Indiana)
)
vs) Assault & Battery on indictment -
)
Joel Leverich)

Now here comes John B. Chapman Esqr prosecuting the pleas of the State and the defendant aforesaid in person comes also and for plea to said indictment says he is ~~not~~ [sic] guilty in manner and form as he there stands charged Whereupon the court assess the defendants fine at the sum of one dollar - It is therefore considered by the court that the state of Indiana do recover against the said defendant the sum of one dollar as above assessed besides his costs in this prosecution sustained - & that he stand committed to the custody of the sheriff until his fine & the costs be paid or replevied

State of Indiana)
)
vs) Assault & Battery on indictment
)
Joel Leverich)

Now here comes John B. Chapman Attorney Prosecuting ~~The pleas of~~ [sic] The pleas of The State of Indiana in that behalf and the Defendant in his own proper person also comes and says he is guilty in manner & form as charged in said indictment - It is therefore considered by the court that the State of Indiana do recover against said defendant the sum of one dollar fine besides his costs and charges in this behalf

expended - & that said defendant stand committed to the custody of the sheriff until said fine & costs be paid or replevied -

p. 35

May Term 1833

B. Gale A. Carey &)
m)
W. Fish sub trustees)
)
vs) Assumpsit on appeal
)
William Enoch)

Now here come the said parties by their counsel & the said Justice in discharge of the rule taken against him brings into court the papers in this cause and thereupon ~~the~~ [sic] on motion of the said plaintiffs a rule is granted against the said defendant to show cause on or before the next calling of this cause why this appeal shall not be dismissed for want of a sufficient bond for costs in this behalf & day is given the parties &c - And now comes the defendant in discharge of said rule and riles his bond to the acceptance of the court - and this cause is continued

Barnabas Thompson)
)
vs) Debt
)
John B. Clark)

Now come the parties by counsel and the court having sufficiently advised of and concerning the said issues of law sustain the plaintiffs demurrer to the said defendants first plea and the defendant ~~finding~~ [sic] refusing to withdraw his Joinder in demurrer the Judgment of the court in this

behalf is stayed because issues of fact are to be tried - And thereupon the court overrule ~~the~~ [sic] the demurrer to the said fifth plea of the said defendant, and the said plaintiff refusing to withdraw his demurrer filed to said fifth plea as aforesaid It is considered by the court that the said defendant recover his costs in the said issue of law on the said fifth plea laid out and expended - and the issues being Joined on the second, third, fourth and sixth, pleas ~~a-Jury-The-def~~ [sic] and thereupon a Jury may [be] called by the parties & !laced in the box to try said issues and before the said Jury was elected dried or sworn the plaintiff moved the court to ~~file~~ [sic] withdraw his demurrer to the said fifth plea and file a ~~demurrer~~ [sic] replication thereto, which motion the court overrule and to which opinion of the court the said plaintiff excepts - ~~And-thereupon here-comes~~ [sic]

p. 36

May Term 1833

~~Jury-towit-to-try-issues-of-fact-towit:~~ [sic]

And thereupon the said plaintiff now asks leave of the court to withdraw his demurrers to the said first and fifth pleas and to amend his declaration at his own proper costs which motion of the plaintiff is overruled by the court ~~and~~ [sic] to which opinion of the court the said ~~defen~~ [sic] plaintiff also excepts And thereupon the said plaintiff now here suffers a non suit - Whereupon it is considered by the court that the said defendant do recover against the said ~~def~~ [sic]

plaintiff his costs and charges in this behalf expended - during the trial & investigation of the above cause the plaintiff filed the following bill of exception to the opinion of the court (here insert them)

~~Subtrustees-of~~ [sic]

~~T.-3~~ [sic]

It is ordered by the court that it be certified to the board of commissioners that Luther Newton and Ephraim Seely Esqrs be each allowed the sum of twelve dollars each for six days servies as associate Judges of this court at its present term - That Hiram Harding be allowed four dollars, Garret Vananthroop six dollars & Daniel Harding fifty cents for services as bailiffs of this court during his present term

A general rule is granted for taking depositions both within abd without the state

Ordered by the court that writs of capias ad respondendum do issue on all indictments found at the present term of this court and that the clerk endorse on each indictment that bail is required of the defendants in the sum of $25.00 each with ~~surety~~ [sic] one or more securities in the like sum

All suits pleas plaints and prosecutions not otherwise disposed of are hereby continued

p. 37

May Term

Benjamin Gale)
)
vs) Trespass on appeal
)
Archibald Gantt)

Now come the parties and thereupon the defendant prays an appeall from the decision & Judgment of the court in this behalf - which ~~motion is~~ [sic] prayer of the defendant is granted by the court - And thereupon the court order that the defendant perfect his said appeal within thirty days by filing bond in the sum of two hundred dollars with James Leverich who he offers as his security and who is approved by the court

In the Matter of Frederick Hamilton an Alien & an Applicant for Naturalization

Now at this time comes into court the said ~~Daniel Fox~~ [sic] Frederick Hamilton and files his declaration in the words & figures following towit: "That he the said ~~Daniel Fox~~ [sic] Frederick Hamilton is a married man and a resident of the County of Lagrange in the State of Indiana, and is a subject of the King of the United Kingdom of Great Britton [sic] & Ireland that he was born in the County of ~~Tipparara in~~ [sic] Tyrone in Ireland in the year 1781 - that he will be 47 years old in June next - that he is about five feet nine inches high - of Robust statue [sic] - with light brown hair blue eyes ~~blue eyes~~ [sic] and fair complexion,

that he migrated to the United States in the year 1827, and landed at Boston Massachusetts whence ~~whence~~ [sic] he removd [sic] to Stubenville [sic] in the State of Ohio in the year 1828, thence to Marion County in said State of Ohio where he resided six months, when he removed to the county of Lagrange aforesaid (which was then

p. 38 as he believes a part of Allen county) in said state of Indiana in the year 1829, where he has continued to reside ever since - that he has ever been well disposed towards the government of this country and that it has been banafide his wish & intention for the last three years to become a citizen of the United States of America and to renounce forever all allegiance to every foreign princ [sic] potentate state sovereignty and particularly to William the fourth King of the United Kingdom of Great Britain & Ireland & that he does now renounce all such allegiance and asks to be admitted to take the final oath of allegiance & naturalization necessary to constitute him a citizen of the United States of American"- And thereupon witnesses to-wit, William Thrall & John Cromer, are called & summond [sic] examined touching the matters set out in said declaration, and it being proven to the satisfaction that the same was substantially true, and that the said applicant had resided in the United States for more than five years last past & within the said county of Lagrange for three years last past during which time he declared was . . . . .

towards the present and that during & for the last three years aforesaid it was & had been bonafide his intention to become citizen of the United States the said applicant is permitted to take the final oath of naturalization and is thereupon sworn in open court and declares upon oath that he will support the constitution of the United States, and that he doth absolutely & entirely renounce and abjure all allegiance & fidelity to every foreign prince potentate state & sovereignty whatever & particularly to William the fourth King of the United Kingdom of Great Brittain [sic] & Ireland.

In the Matter of)
)
Daniel Fox) Application for Naturalization

Now at this time comes into open court Daniel Fox and makes his declaration on oath in the words & figures following towit -

p. 39 that he the said Daniel Fox is a married man and a resident of The County of LaGrange in the State of Indiana and is a subject of The King of the United Kingdom of Great Brittain [sic] & Ireland, That he was born in The County of Tipperary in Ireland that he is fifty six years of age about five feet five inches high of Thick Stature blue eyes light hair and fair complexion That he migrated to the United States in the year 1823, landed in The State of New York then removed to and resided in The Teritory [sic] of Michigan untill [sic] the winter of 1829 that he removed then into the County of

Lagrange aforesaid (then Allen County in this State in the month of April 1829 that he has resided in said county of Lagrange ever since that he has for and during the last ten years had a desire to become a citizen of the United States, that it has been his bonefide [sic] wish & intention for and during the last three years past to become a citizen of the United States of America and to renounce for ever all allegiance and fidelity to any foreign prince Potentate Stare & Sovereignty whatever and particularly to William the fourth King of the United Kingdom of great Britain & Ireland and that he does now renounce all such allegiance forever And asks to be admitted to take the final oath of Naturalization

Sworn to before me

This 18th day of May 1833 Daniel Fox

J. T. Hobbs

Clerk of The Lagrange

Circuit Court -

And the court adjourned sine die

Signed This 18th day of May 1833 -

Ephraim Seely

Luther Newton

p. 40

Monday May 27th 1833 -

On This day Robert Patterson distributor of The laws for The Eighth Judicial Circuit of The State of Indiana deposited in

the Clerks office sundry copies of the acts of the General Assembly for the year One Thousand Eight hundred and Thirty-Three - also six copies of the acts of congress -

Test . J. T. Hobbs Clk

List of grand Jurors selected and drawn by the clerk and county commissioners at the September [November?] Term 1833. To wit - Lemuel Fobes - Otis Newton, John Ewing, Barnabus Thompson, Jacob Gage, John Anderson, Jacob Wolf George Donaldson, Richard Stone John Olney Peter Huntsman, Ebenezer Fish Robert Latta Almon Lawrence William McConnell Datus Newton John B. Clark & John Gardner (18) And the following persons were selected and drawn as aforesaid at the same time to serve as Petit Jurors - at the November Term next to wit, Abraham T. Craft, Dimick Hardin Ami Lawrence Jacob Cory [Croy?] William Miller Jacob Miller James Levinch Ira Leverich Moses J. Hill Gideon Parker, Robert Hamilton William Levinch William Enoch, Samuel Anderson, Francis A. Blair Robert Johnson, An. Crawford, Nathaniel G. Burnside, Jacob Vandeventer, William S. Prentiss, and Obediah Lawrence - 24

p. 41

November Term 1833

At a term of the Lagrange ~~County~~ [sic] circuit court ~~holden~~ [sic] begun and held at the house of Thomas Gale in the town of Mongoquonong, (being the place provided for holding said court by the county commissioners of said county) in & for the county of Lagrange and State of Indiana on Mon-

day the eighteenth day of November 1833 present the Honorable Gustavus A. Evertt presdient Judge of The 8th Judicial Circuit of the said State of Indiana and Ephraim Seeley and Luther Newton Esqrs associate Judges of the said circuit court also present William Thrall Esqr Sheriff of said county and Joshua T. Hobbs clerk of the said circuit court -

William Thrall Esquire sheriff of Lagrange county now returns the venire heretofore to him directed and brings into court the following Grand Jurors towit - Robert Latta who is by the court appointed foreman & is by the court ~~apt~~ [sic] sworn as such, Otis Newton - John Ewing - John Anderson - Jacob Wolf - George Donaldson - Richard Stone - Almon Lawrence - Datus Newton - nine in number and no more of the Jurors named in said venire answering to their names when called the said sheriff by order of the court now summons and places on the said panel of ~~th~~ [sic] Grand Jurors the following bystanders towit - William McNeal - John Jewitt - Lemuel Robinson - Silas Thrailkill - Edmund Littlefield - & William Adair who with the aforesaid nine make fifteen in number - good and lawful men of the county aforesaid who being empannelled sworn and charged by the court to sell & truly inquire in & for the body of the said county of Lagrange retire to their room to deliberate under charge of Garrett Vananthrope a sworn officer of this court -

p 42

November Term 1833

State of Indiana)
)
vs) Attachment for Contempt
)
John Miller)

And now here comes as well the said defendant as John B. Chapman Esqr. the prosecuting attorney and thereupon the said defendant being placed at the bar of the court and being put upon oath to purge himself of the contempt aforesaid for not appearing & serving as a Juror at the last term of this court - Whereupon the court having heard the excuse of the said defendant deem the same insufficient to acquit the said defendant of the contempt aforesaid - Whereupon it is considered by the court that the said defendant do make his fine to the State of Indiana in the sum of fifty cents and that he pay the costs of this prosecution & that he stand committed to the custody of the sheriff until the said fine & costs be paid or replevied & thereupon the defendant gives notice that he will move the court in arrest of Judgment in this behalf

State of Indiana)
)
vs) Attachment for contempt
)
Samuel Gorthrop)

And now here comes as well the said defendant as John B. Chapman Esqr the prosecuting Attorney and thereupon the said defendant being placed at the bar of the court and

being put upon oath to purge himself of the contempt aforesaid for not appearing and serving as a Petit Juror at the kast Term of this court Whereupon the The [sic] court having heard The excuse of the said defendant deem the same insufficient to acquit the said Defendant of the contempt aforesaid Whereupon it is considered by the court that the said Defendant do make his fine to the State of Indiana in the sum of fifty cents and that he pay the costs of this ~~presentment~~ [sic] prosecution and that he stands committed to the custody of the sheriff until the said fine and costs are paid or replevied - & the said defendant gives notice that he will move the court arrest of Judgment in this behalf

p. 43

November Term 1833

The State of Indiana)
)
vs) Attachment for Contempt -
)
George Donaldson)

And now here comes the said Defendant as well as John B. Chapman who prosecutes the pleas of the State, and thereupon the said Defendant being placed at the bar of the court and put upon his oath to purge himself of the contempt aforesaid for not appearing and serving as a Juror at the last Term of this court Whereupon the Court having heard the Excuse of the said Defendant ~~and~~ [sic] deem the same insufficient to acquit the said Defendant of

the said contempt aforesaid - Whereupon it is considered by the court that the said Defendant do make his fine to the State of Indiana in the sum of fifty cents and the costs of this attachment and that he stand committed to the custody of the sheriff until the fine and costs are paid or replevied -

Hugh R. Hunter was produced in Court by the sheriff and was sworn as a bailiff of this court - for the continuance of this present term

State of Indiana)
)
vs) On Recognizance forfeited
)
Andrew Drouillard)

And now at this day comes John B. Chapman who prosecutes the pleas of the State of Indiana and the said Defendant having been three times solemnly called and required to defend the offence [sic] charged against him comes not but wholly makes default, whereby the said recognizance has become forfeited and the said Defendant has become liable to pay to the said State the sum of twenty=five [sic] dollars, the said sum in said recognizance specified

p. 44 November Term 1833

It is therefore considered by the ~~said~~ [sic] court that the said Defendant pay to the State of Indiana the said sum of twenty five dollars in the said recognizance mentioned ~~and~~ [sic] besides ~~the~~ [sic] her costs and charges in this behalf paid out and expended And it is ordered by the court that a

scire facias do issue in this behalf. requiring the said Defendant to be and appear before this court on the first day of next term thereof to show cause if any he has why execution should not issue on the judgment aforesaid & this case is continued

State of Indiana)
)
vs) On Recognizance forfeited
)
Jacob Miller)

Now comes John B. Chapman Esqr prosecuting the pleas of the State and the said Jacob Miller being three times called and required to bring into court the body of the said Andrew Drouillard in discharge of his said recognizance comes not but herein makes default whereby the said recognizance is forfeited and the said defendant has become liable to pay the said State of Indiana the said sum of twenty five dollars in the said recognizance specified - It is therefore considered by the court that the said State of Indiana do recover against the said defendant the said sum of twenty five dollars besides her costs in this behalf expended - And it is ordered by the court that ~~the~~ [sic] a scire facias do issue requiring the said defendant to be and appear before this court on the first day of its next term to show cause if any he can why ~~an~~ [sic] execution shall not issue upon the Judgment & forfeiture aforesaid & this cause is continued

Ira Leverich, William Enochs, Moses J. Hill, and John Miller are severally for good cause shown the court excused from serving as Jurors during the present term

State of Indiana)
)
vs) Contempt of court
)
John B. Clark) On motion of John B. Chapman

p. 45 November Term 1833

Esqr an attachment is ordered to issue against the said defendant for a contempt in refusing to obey the process of this court wherein he was summoned to appear & testify as a witness in this court on the part of the plaintiff in a certain cause wherein the State of Indiana is plaintiff & Lydia Bowers is defendant -

State of Indiana)
)
vs) Fornication
)
J. B. O'Ferrill)

On motion of John B. Chapman Esq - this cause is continued and an alias capias is ordered directed to the sheriff of ~~Allen~~ [sic] Lagrange County -

State of Indiana)
)
vs) A. B.
)
John Leverich)

And now comes John B. Chapman Esqr who prosecutes the pleas of the State of Indiana and the said Defendant

in his own proper person, and being set to the bar of the court and being arraigned upon the indictment aforesaid and it being forthwith required of him how he will acquit himself of the same, and for plea thereto he saith he is not guilty in manner and form as he stands charged in said indictment and for that thereof he puts himself upon the country and the said John B. Chapman doth the like, And thereupon here comes a jury to try the said issue, to wit, William S. Prentiss Nathaniel Callehan Andrew Crawford Francis A. Blair Samuel Anderson Robert Hamilton William Miller Jacob Croy Samuel Burnside Demick Harding and Abraham T. Croft - twelve good and lawful men householders and freeholders of the county of LaGrange aforesaid who ~~having~~ [sic] are ~~been~~ [sic] duly elected tried and sworn the truth to say upon the issue joined aforesaid upon their oath aforesaid do say and find the following verdict, to wit, We the Jury find the defendant not guilty" It is therefore considered by the court that the said defendant as to said offence do go

p. 46

Nov. Term 1833

And thereupon the said prosecuting attorney gives notice that he will move the court to arrest the verdict aforesaid on tomorrow for reasons which he will then file -

And the Court adjourned until tomorrow morning at nine Oclock

Signed 19 Nov. 1833

G. A. Evert

Ephrain Seely

Luther Newton

Wednesday Morning 9 Oclock November 19th 1833 the court met pursuant to adjournment present the same Judges and officers of court as on yesterday

State of Indiana)
)
vs) Contempt
)
John Miller)

Now here come the parties aforesaid and thereupon the said defendant moves the court to arrest the Judgment in this behalf rendered on yesterday for reasons orally shown the court - Whereupon the court ~~new~~ [sic] take said motion under advisement & day in court is given the parties -

State of Indiana)
)
vs) Contempt
)
Samuel Gorthrop)

The parties aforesaid come & thereupon the defendant moves the court to arrest the Judgment in this behalf rendered on yesterday for reasons orally shown the court - which motion the court take under advisement & day is given the parties

p. 47

Nov. Term 1833

On Motion of Samuel C. Sample Esqr Columbia Lancaster Esqr is admitted to practise as an attorney & counseller at law during the present term of this court and is sworn as such

On Motion it is ordered to be certified of record in this court that Columbia Lancaster Esquire is a man of good moral Character -

~~On Motion~~ [sic]

State of Indiana)
)
vs) Comtempt
)
Wm. Thrall)

On motion of John B. Chapman Esqr prosecuting attorney on affidavit filed a rule is granted against Willium [sic] Thrall Esqr sheriff of Lagrange county to shew [sic] cause if any he can why an attachment shall not issue against him to answer for a contempt in not placing William McConnell on the grand Jury he having been in attendance on the court by virtue of a summons when the said Jury were empannelled & thereupon the said William Thrall appears in discharge of said rule & the court having heard the excuse of said sheriff take said motion under advisement & day is given &c -

Daniel Fox)
)
vs) Replevin
)
Andrew Drouillard)

The parties come & thereupon ~~the~~ [sic] a rule is granted against the defendant to plead in this behalf on or before the next calling of this cause

Holton & Hughes)
)
vs) Assumpsit
)
Walker Carter & Co)

The parties aforesaid come and there-

upon the defendants file their two pleas in this behalf in these words (here insert them) and a rule is granted against the plaintiffs to reply tomorrow morning & day is given

Moses J. Hill)
)
vs) Slander
)
Oliver Clossen)

The parties come by counsel and the said defendant files his demurrer to the plaintiffs declaration in these words (here insert it) & the ~~def~~ [sic] plaintiff files his Joinder in these words (here insert it) and day is given

Moses J. Hill)
)
vs) Assumpsit
)
Oliver Clossen)

The parties come & a rule is granted against the said defendant to plead in this behalf ~~until to~~ [sic] on the next calling of this cause

L. R. Brownell)
)
vs) Assumpsit
)
Andrew Drouillard)

The plaintiff comes and ~~the~~ [sic] on motion of the plaintiff an alias process is awarded in this behalf & this cause is continued -

Daniel Davis Applee) [sic]
)
vs) Appeal
)
Jesse Harding)
Appellant)

The plaintiff by Samuel C. Sample his counsel comes and the defendant, being three times called & required to to [sic] prosecute his said appeal comes not but makes dafault Therefore it is (on motion of the said plaintiff) - considered by the court that the said appeal be dismissed and that the said plaintiff do recover against the said defen-

p. 49 November term 1833

dent his costs and charges in this behalf expended

State of Indiana)
)
vs) Indictment for fornication
)
William Huntsman)

John B. Chapman Esqr. prosecuting attorney now comes and the defendant aforesaid in his own proper person comes also, and being arraigned upon the indictment afore-

said for plea thereto he says he is not guilty in manner & form as therein charged, and for trial thereof he puts himself upon the country and the said prosecuting attorney doth the like & thereupon here comes a Jury to try said issue towit: Nathaniel Cullehan [sic] - Jacob Miller - Andrew Crawford - Robert Hamilton - Francis A. Blair - Samuel Anderson - Jacob Croy - James Leverich - William Leverich - Demick Harding - William Miller and Abraham T. Craft twelve good and lawful men of the county of Lagrange who being elected tried and sworn the truth to say upon the issue Joined as aforesaid upon their oath aforesaid do say & find the following verdict towit "We the petit Jury do find the defendant guilty and fine him in the sum of fifty cents - Robt. Hamilton foreman" And thereupon the defendant gives notice ~~to the~~ [sic] that he will move the court ~~to~~ [sic] in arrest of Judgment for reasons which he will file on tomorrow morning & day is given

Samuel Sidener)
)
vs) Debt.
)
Jesse Harding)

Now come the parties aforesaid and thereupon the said defendant in his own proper person says he cannot gainsay or deny but that he is Justly indebted to the said ~~defendant~~ [sic] plaintiff in the sum of three hundred and two dollars & fifty ~~dollars~~ [sic] cents in debt

~~ing-the~~ [sic] being the sum in the said plaintiffs declaration contained & ~~the~~ [sic] damages for the detention thereof - It is therefore considered by the court now here that the said plaintiff do recover against the said defendant the said sum of three hundred and two dollars & fifty cents above confessed besides his costs and charges in this behalf expended &c -

State of Indiana)
)
vs) Contempt
)
John B. Clark)

The ~~parties~~ [sic] said defendant is now brought into court in custody of the Sheriff and being put upon his oath to purge himself of the contempt aforesaid gives to the court a satisfactory excuse for having disobeyed the said process - Whereupon the ~~said~~ [sic] court discharge said defendant from the said contempt & order that he go hence thereof acquit without day -

State of Indiana)
)
vs) Indictment for Larceny -
)
Lydia Bowers)

And now here comes John B. Chapman Esqr who prosecutes the pleas of the State and the said Lydia Bowers also comes in her own proper person and being placed at the

bar of the Court and it being forwith [sic] demanded of her how she would acquit herself of the offence with which she stands charged in the indictment aforesaid - saith for plea thereto that she is not guilty in manner and form as she stands charged on said indictment and for trial thereof she puts herself upon the country ~~for trial~~ [sic] and the said John B. Chapman Esqr doth the like and thereupon a jury comes to try the said issue - towit, Nathaniel Callehan Jacob Miller Andrew Crawford

p. 51

Nov Term 1833 -

Robert Hamilton Francis A. Blair Samuel Anderson Jacob Croy James Leverage [sic] William Leverage Demick Harding William Miller and Abraham T. Croft ~~all go~~ [sic] twelve good and lawful men of the County of LaGrange aforesaid who being duly elected tryde [sic] and sworn the truth to sayupon the issue joined aforesaid upon their oath aforesaid do find and say we the jury find the defendant not guilty. It is therefore considered by the court that said defendant as to said offence [sic] in said indictment specified go hence thereof acquit without day

And now the Sheriff produces to this court Mancend Thurston, who is sworn and quallified [sic] to act as a baliff [sic] to this court for the present Term

And now here comes into open court Jason Thurston and makes

and subscribes under oath an ~~declaration~~ [sic] application in order to obtain a pension under the act of Congress of June 7 June 1832 [sic]

And the Court do hereby declare their opinion after the investigation of the matter and after putting the interrogatories prescribed by the war department that the above named applicant was a revolutionary Soldier and Served as he states. And the Court further certifies that it appears to them that Christopher Cory who has Signed the preceding Certificate is a clergiman, resident in the neighborhood of the above Named applicant in the County of LaGrange, and that Moses J. Hill Daniel Fox William A. McNeal ~~are credible~~ [sic] who have also Signed the Same are residents in the neighborhood, & County of LaGrange and are cedible [sic] persons and that their Statements are entitled to credit.

p. 54

November Term 1833

State of Indiana)
)
vs) Fornication
)
Lydia Bowers)

Now comes John B. Chapman Esqr prosecuting the pleas of the State and the defendant in her own proper person comes also and the said defendant moves the court to quash said indictment for errors apparant [sic] therein, which motion the court ~~takes under advisement & day is given~~ [sic]

overrule It is therefore considered by the court that said defendant do answer further to said indictment & day is given

State of Indiana)
)
vs) Presentment for violating the Estray laws
)
Richard Fowler)

Now comes John B. Chapman Esqr prosecuting the pleas of the State and the defendant also comes and the said John B. Chapman admits that he has the said presentment withdrawn from the files of this court - And thereupon on motion of the said defendant a rule is granted against said prosecuting attorney to produce said presentment in court on or before the next calling of this cause or in default thereof the said defendant shall be discharged from his recognizance

)
In the Matter of John Emmerson) Application for naturalization -
)

And now comes into open court John Emmerson and makes and subscribes under oath the following declaration towit:

State of Indiana)
)
Lagrange County) SS Circuit Court of said County

At this term John Emmerson comes into court and under oath makes the following declaration to wit That he said John Emerson is a married man and a resident of La grange County in said State That he is a subject of the

Nov. Term 1833

King of Great Britain & Ireland - That he was ~~the~~ [sic] born in the county of Yorkshire in England and is fifty seven years of age - That he ~~might~~ [sic] migrated to the United States of America in the year 1830 and landed at Detroit in the United States in the fall of the year aforesaid and took up his residence in Lagrange county State of Indiana where he now resides - That it is his desire to become a citizen of the United States of America and his bonafide intention forever to renounce all allegiance & fidelity to any foreign prince Potentate State & sovereignity whatever and particularly to William the fourth King of Great Brittain [sic] & Ireland & Ireland [sic] -

Sworn to & subscribed) John Emmerson
)
in open court)
th)
Nov. 20 1833)
)
Attest J. T. Hobbs Clk

The Grand Jury now come into court and return sundry bills of indictment found by them as true bills and ~~subs~~ [sic] signed by their foreman as such which bills are filed by the clerk & the said Jury having further business retire ~~to their room to~~ [sic] under the charge of a sworn officer

The Court assess a fine of one dollar against John Huntsman for contemptuously couging [sic] & talking before the court

The court now remit the fine imposed on John Huntsman of

one dollar for talking in court so as to disturb cts. deliberation

p. 56

November Term 1833

George Egnew)
)
vs) Trespass quan [?] Clausum fregit
)
Oliver Clauson)

And now come the parties aforesaid and by their agreement this cause is dismissed at the costs of the Plaintiff Therefore it is considered by the court that the said Defendant recover from the said Plaintiff his costs and charges in this behalf laid out and expended, and that the said Defendant go hence without day, as to the action aforesaid &c

State of Indiana)
)
vs) Presentment for violating Estray Laws
)
Richard Fowler)

And now come the parties aforesaid and the Said Prosecuting Attorney agrees that the said Defendant be discharged from the Recognizance and Presentment aforesaid. It is therefore Considered by the Court that the Said Defendant as to the Said Recognizance and Presentment go hence without day.

Andrew Druillaird)
)
vs) Assumpsit
)
Daniel Fox)

Now Come the parties aforesaid and thereupon the Court overrule the motion of Said Defendant for a New Trial made at the last Term of the Court in this behalf. It is therefore considered by the Court that the Said Plaintiff recover against the Defendant the Sum of three Dollars in damages as found by the Court at the last term together with his Costs and ~~ha~~nges in this behalf laid out and expended and the Defendent [sic] in Mercy &c

p. 57

November Term 1833 -

William Shimman)
vs) Assumpsit on Appeal
Benjamin Jones)

And now comes [sic] the parties and the said Plaintiff ~~saith he will no f~~ [sic] voluntarily suffers an [sic] non-suit in this behalf - And it is therefore Considered by the court that the said Defendent [sic] recover from the said Plaintiff his costs and charges in this behalf laid out and expend [sic] &c and that the said Plaintiff be emerced [sic] for his false clamore.sic] &c

Daniel Fox)
vs) In Replevin
Andrew Druilliard &)
Ignatius O'Ferrell)

And now at this time here Comes the said

Plaintiff by Sample and Colerick his Counsel and the said Defendants having been severally three times called and required to defend the Plaintiffs action aforesaid, come not but each and every of them herein make default, whereby the said action remains unanswered and unrefuted [?], it is therefore considered by the court that the said plaintiff retain the possession of the said hay mow in his said declaration mentioned & that the said Plaintiff recover of the said Defendants his damages sustained by reason of the detention of the said hay mow ~~as-con~~ [sic] by the said Defendants as complained against them by the said Plaintiff in his said declaration But because the court is not informed of the amount of the damages sustained by the said Plaintiff as aforesaid, ~~be~~ [sic] order that a jury come to inquire into the amount of damages sustained by the Plaintiff and day is given &c

p. 58

November Term 1833 -

The State of Indiana)
)
vs) Fornication
)
Lydia Bowers)

And now comes John B. Chapman Esqr who prosecuties the pleas of the State aforesaid and ~~alse~~ [sic] the said Lydia Bowers also comes in her own proper person and being arraigned before the Court on the said indictment, and being asked how she will acquit herself of the said charge, for plea thereto she saith she is not guilty and for trial

thereof for good or for evil she puts herself upon the country and the said prosecuter [sic] doth the like, And therefore the sheriff if ordered to bring into Court a Jury, and here comes a jury to wit Jacob Vandeventer, Samuel S. Burnsides, Obediah Lawrance [sic], Robert Hamilton, William Miller, Andrew Crawford, Samuel Anderson, Jacob Croy, James Leverage, William Leverage, Abraham F. Croft, William S. Prentiss, twelve good and lawful men of the county of LaGrange aforesaid who being duly elected tried and sworn to well and truly try the issue joined and upon their oath the truth to say return the following verdict we the jury find ~~the said Defendant~~ [sic] Lydia Bowers not guilty as charged in the indictment - ~~It is therefore considered by the court that said defendant as to the offence aforesaid go hence without day~~ [sic] & thereupon the prosecuting attorney gives notice that he will move in arrest of the said verdict because the same is contrary to law & consideration

State of Indiana)
)
vs) On recognizance forfeited
)
Jacob Miller)

Now here comes at this day The said defendant and enters his appearance and moves the issuing of a Scire facius in this behalf And agrees to appear and answer to this action at the next Term of this court

And this cause is continued -

And the court adjourned until tomorrow morning at 9 O'clock

Signed 21 Nov. 1833 G. A. Evertt

Ephraim Seely

Luther Newton

p. 59 November Term 1833

Thursday morning 9 Oclock November 21st 1833

the court met pursuant to adjournment present the Same Judges and officers of court as on yesterday

State of Indiana)
)
vs) Fornication
)
William Huntsman)

The parties come and thereupon the court sustain the motion aforesaid in arrest of Judgment because ~~the~~ [sic] of the errors on the face of the Third count of the indictment - It is therefore considered by the court that said Judgment be arrested, and thereupon ~~does~~ [sic] the said prosecuting attorney says he will no further prosecute the said third count in the said indictment - It is therefore considered by the court that said defendant as to said third count in the said indictment do go hence without day -

~~It is therefore o~~ [sic] Thereupon on motio nof the said ~~defen~~- [sic] prosecuting attorney a venire denovo is awarded & day is given

Moses J. Hill)
)
vs) Assumpsit
)
Oliver Clossen)

Now come the said parties and thereupon the said plaintiff ~~withdraws-&~~ [sic] withdraw & amends his declaration, and files the same as amended ~~in-these-w~~ [sic] and day is given -

State of Indiana)
)
vs) Motion for Attachment
)
John Miller)
)
Samuel Gorthrop)
)
George Donaldson)

And now comes the Prosecuting Attorney and moves the court to order that writs of attachment be issued against the said John Miller Samuel Gorthrop and George Donaldson for failing to appear and serve as Jurors at the last Term of this court, and after hearing the arguments of the parties

p. 60 November Term 1833

the court overrules said motion

Moses J. Hill)
)
vs) Trespass on the Case in Slander.
)
Oliver Closson)

Now Come the parties by their Counsel and the ~~Defendent~~ [sic] Court having heard the argument of Counsel upon the De-

murrer aforesaid And after due deliberation thereupon had It seems to the Court now here, that the Matters and things in the said plaintiff's Declaration in manner and form as the same are therein pleaded & set forth, are insufficient in Law to have and maintain his action aforesaid against the said defendant, & because the Said Plaintiff now here refuses to withdraw his joinder in Demurrer aforesaid It is considered by the Court that ~~plaintiff~~ [sic] the Defendant as to the action aforesaid go hence without day, and recover against the said plaintiff his costs and charges in this behalf laid out and expended, and the plaintiff pro falso clamore be immersed &c.

Holton & Hughs)
)
vs) Assumpsit
)
Walker Carter and Co.)

The parties come, and thereupon the plaintiffs file their replication to the said second plea of the said defendents [sic] in this words (here insert it) And day is given the parties.

p. 61

November Term 1833 -

The grand Jury now come into court and return sundry bills of indictment endorsed true bills and signed by their foreman as such which bills are filed by the clerk in court and the Grand Jury also return into court the following report of the condition of the county Jail to-wit

State of Indiana)
)
Lagrange County) to wit

We the grand Jurors for the State of Indiana Empannelled charged and sworn in to enquire for the body of the County of Lagrange and State aforesaid upon our oath do present that we have examined the Jail of said county of Lagrange and do find and present that the same is not in order for the reception of prisoners but is wholy [sic] deficent [sic] for the want of being sufficiently secure for the holding of prisoners, and intirely [sic] uncumfortable [sic] when confined And we further present that the said Jail if [is?] at this time filled up with corn [!] which would if sufficient much incommode the confinement of prisoners

t
Rob- Latta
foreman of the
grand Jury

which report it is ordered that the clerk certify to the board of Commissioners

And the said Jury having no further business before them are discharged by the court from any further attendance during this Term -

The State of Indiana)
)
vs) Contempt
)
Jessie Huntsman)

The said Defendant comes and the court having heard the excuse of the said

p. 62 November Term 1833 -

~~of the said~~ [sic] Defendant and deem the same insufficient and therefore it is ~~considered~~ [sic] ordered by the court that the said Defendant pay the costs of this attachment in sixty days or be attached

Moses Hill)
)
vs) Assumpsit
)
Oliver Closson)

And now come the parties aforesaid and the said Plaintiff asks and obtains leave to amend his aforesaid declaration, and thereupon he files his declaration as amended in these words - (here insert ~~them~~ [sic] it) And thereupon the defendant moves the Court for a continuance of this cause until the next term of this court at the costs of the plaintiff of this term because the said amendment to said declaration, is in amendment of substance, which motion of the said Defendant is sustained by the court and this cause is continued, and it is ordered by the court the said Plaintiff pay the costs of this term of said court in sixty days otherwise an attachment to issue, to which ~~opinion~~ [sic] order of the court the said Plaintiff ~~aeeep~~ [sic] excepts, and files his bill of exceptions in these words (here insert it)

State of Indiana)
)
vs) Violation of the Estray Laws
)
Richard Fowler)

On motion of John B. Chapman Esqr prosecuting attorney a bench warrant is awarded against the defendant in this behalf returnable instanter -

State of Indiana)
)
vs) Gaming -
)
Wm. Lancaster)

On motion of John B. Chapman Esqr prosecuting attorney a bench warrant is awarded against the defendant in this behalf returnable instanter

p. 65 November Term 1833

State of Indiana)
)
vs) A. B.
)
Ira Leverich)

And now comes John B. Chapman Esqr who prosecutes the pleas of the State of Indiana and the said Ira Leverich also comes in his own proper person and being arraigned at the bar of this court on the indictment aforesaid and it being demanded forwith [sic] of him how he will acquit himself of the offence [sic] charged in said indictment and for plea thereto saith he is not guilty in manner and form as he therein stands charged and for trial thereof he (for good or for

evil) puts himself upon his country and the prosecuting attorney aforesaid doth the like and here comes Jury to try the issue, towit, Robert Hamilton Samuel G. Burnside Nathan Callehan Samuel Anderson William Miller Andrew Crawford Jacob Croy Jacob Miller Francis A. Blair Jacob Vandeventer William S. Prentiss and Obideah [sic] Lawrance twelve good and lawful men of the County of LaGrange aforesaid who being duly elected try.d and sworn the truth to find upon the issue joined, Return the following verdict to wit, We the Jury find Ira Leverich the Defendant ~~guilty~~ [sic] - guilty as charged in the indictment and fine him one cent" and day is given &c -" & the defendant gives notice that he will move the court for a new trial on tomorrow morning -

And the court adjourned until tomorrow morning at 9 Oclock
Signed 22d Nov. 1833

Gustavus A. Evertt

p. 64

November Term 1833

Friday Morning 9 Oclock November 22d 1833 the court met pursuant to adjournment present the same Judges and officers of court as on yesterday

Now comes John B. Chapman Esqr. prosecuting the pleas of the State of Indiana and on his motion it is ordered that attachments do issue against John Gardner Ebenezer Fish

Jacob Gage ~~and Nehemiah Coldren~~ [sic] to answer to the State of Indiana for a contempt in not obeying the summons of this court wherein they were summoned to appear & serve during the present of this court as grand Jurors & against Nehemiah Coldren who was in like manner served as a pettit [sic] Juror all of whom were summoned ten days before said court -

Daniel Fox	)	
	)	
vs	)	Replevin
	)	
Andrew Drouillard &	)	
	)	
Ignatius O'Ferrell	)	

The plaintiff comes by counsel and says he will not prosecute the writ of inquiry heretofore awarded by the court in this behalf, and moves the court to render a Judgment in his behalf for costs in the default of the said defendants which motion is by the court sustained - It is therefore considered by the court that said plaintiff do recover against the said defendants his costs & charges in this behalf expended

Recevd the above costs in full

J. T. Hobbs Clk

State of Indiana	)	
	)	
vs	)	A. B.
	)	
Ira Leverich	)	

The parties aforesaid come & the defendant moves the court to grant him a new trial in this cause for

the following reasons

p. 65 Nov. Term 1833

towit (here insert them) Which motion is overruled by the court - It is therefore considered by the court that the State of Indiana recover against the said defendant the sum of one cent besides the costs of this prosecution & that said defendant stand committed to the custody of the sheriff until the said fine & costs are replevied

State of Indiana)
)
vs) Indictments - One for A. B. & one
)
David Enoch) for Retailing

Now comes John B. Chapman Esqr & says he will no further prosecute the said indictments or either of them against the said defendant - Whereupon it is considered by the court that said defendant as to said indictments go hence without day -

State of Indiana)
)
vs) Indictment for Gaming
)
William Lancaster)

Now comes John B. Chapman Esqr prosecuting the pleas of the State and the said defendant in his own proper person also comes & by the agreement of the parties this cause upon the plea of not guilty which is pleaded by the defendant is submitted for trial to the court & a Jury is waived - & thereupon the court after hearing the evidence ~~of-defe~~ ¶sic]

are of opinion that the defendant is not guilty as charged in the said indictment - It is therefore considered by the court that said defendant as to the said indictment go hence without day - The said prosecuting attorney during the progress of the above time took & filed the following bill of exceptions to the opinion of the court (here insert it)

State of Indiana)
)
VS) Recognizance forfeited
)
William Huntsman)

Now comes John B. Chapman

p. 66 Nov. 1833

Esqr. prosecuting the pleas of the State and the defendant being thrice called and required to answer the said indictment in discharge of his said recognizance answer not but herein makes default - Whereby the said recognizance is forfeited & the State of Indiana entitled to recover against the said defendant the ~~said~~ [sic] sum of Twenty five dollars the sum specified in the said Recognizance - it is therefore considered by the court that the State of Indiana do recover against the said defendant the sum of twenty five dollars as contained in said Recognizance besides her costs in this behalf expended - & it is ordered by the court that a Scire facias do issue requiring the said defendant to be and appear before this court on the first day of its next term to ~~ans~~ [sic] show cause if any he can why execution shall not issue on the

aforesaid Judgment

State of Indiana)
)
vs) Recognizance forfeited
)
Jacob Staner)

Now comes John B. Chapman Esqr prosecuting the pleas of the State and the said Jacob Staner being three times called and required to bring into court the body of ~~Jacob Staner~~ [sic] the said William Huntsman in discharge of his recognizance comes not but makes default Whereby the said recognizance is forfeited & the said defendant liable to pay to the said State of Indiana the said sum of twenty five dollars in the said recognizance specified It is therefore considered by the court that the State of Indiana do recover against the said defendant the sum of Twenty five dollars the sum specified in the said Recognizance besides her osts and charges in this behalf expended & it is ordered by the court that a Scire facias do issue requiring the said defendant to be and appear before this court on the first day of its next Term to show cause if any he can why execution shall not issue on the aforesaid Judgment -

p. 67 November Term 1833 -

Holton & Hughs)
)
vs) Assumpsit
)
Walker, Carter & C-) On motion of defendant for continuance

Now at this time comes the parties & the defendant by counsel ~~and~~ [sic] moves the court to continue this cause upon affidavit filed to which motion the plaintiffs object, and after due Consideration of the premises, the court overrule said objection and order that said cause be continued at the cost of said defendants -

State of Indiana)
)
vs) On Indictment for gaming
)
Ica F. Rice)

Now at this time comes John B. Chapman, Esqr. prosecuting the pleas of the State of Indiana in this behalf and says he will not any further prosecute the said defendant in this behalf - It is Therefore Considered by The Court That said defendant as to said indictment go hence without day -

Subtrustees of School)
)
district No. 3 Town 38)
)
Range 10)
)
vs) Appeal
)
Wm. Enoch)

Now come the parties and William Gale, Edmund Littlefield & Samuel Robinson come into court and suggest to the court that they are the successors in office of Benjamin Gale William Fish & Aaron Carey - and have become so since the commencement of this Suit, and thereupon the said William Gale, Edmund Littlefield, & Samuel Robinson are admitted as plaintiffs

in this action, and thereupon this cause is submitted to the Summary

p. 68 Nov. Term 1833

decision of the court, And the court having heard the evidence for & on behalf of the parties take the points of evidence under advisement until the next term & this cause is continued

Ordered by the court that all suits pleas plaints and prosecutions not otherwise disposed of are hereby ~~ref~~ [sic] Continued

~~Ordered by~~ [sic]

A general rule is ~~allowed~~ [sic] granted for taking depositions both within & without the state

State of Indiana)
)
vs) On indictment for Assault and Battery -
)
Ira Leverich) Judgment

Now comes into court W. A. McNeal and acknowledges himself replevin bail & security for the said defendant for the payment of the fine and costs in this behalf within three months after this date

State of Indiana)
)
vs) Indictment for retailing
)
Arthur Burrows)

And now at this day comes the said Arthur Bur-

rows and Henry E. Switzer and acknowledge themselves severally to owe and be endebted to the State of Indiana in the sum of twenty five dollars to be levied of their goods and chattles [sic] lands and tenements respectfully [?] if default shall be made on the condition following which condition is - That the said Arthur Burrows be and appear before the Judges of the LaGrange Circuit [Court] on the first day of the next term thereof to answer to the State of Indiana in an indictment for retailing &c and not depart therefrom without the keave of the said Court

p. 69

November Term A. D. 1833 -

The State of Indiana)
)
vs) Indictment for Retailing
)
Arthur Burrows)

And now at this time come the said Said [sic] Arthur Burrows and Henry E. Switzer and acknowledge themselves to owe and be endebted to the State of Indiana in the sum of twenty-five dollars to be levied of their goods and chattles[sic] - lands and tenements, respectfully - if default shall be made on the conditions following - which Condition is - That the said Arthur Burrows be and appear before the Judges of the LaGrange Circuit Court on the first day of the next term of this court to answer to the State of Indiana in an indictment for retailing without a license and not depart therefrom with-

out the leave of the said court

The State of Indiana)
)
vs) ~~Abusing the~~ [sic] Violating Estray Law
)
Richard Fowler)

n motion of the prosecuting attorney process is awarded to the sheriff of LaPort County in this bahalf

It is ordered by the court, to be certified to the board of County Commissioners of Said County that Hugh R. Hunter be allowed Five dollars & Mancend Thurston and Ganett Vanantworp ~~be~~ [sic] are allowed the sum of four dollars each for their service as bailiffs during the present term of this court

It is ordered by the court, to be certified to the Board of County Commissioners of said County that William Thrall is allowed the sum of fifty cents, for procuring testimony o go before the Grand Jury (extra service) -

p. 70

November Term A. D. 1833

And now here comes into open court Narhan J. Fowler of the said County of LaGrange and makes and subscribes under oath an application in order to be enrolled on the Pension List of the United States under the act of Congress of the seventh of June A. D. 1832 And the court do hereby declare their opinion after the investigation of the matter and af-

ter putting the interrogatories prescribed by the War Department - That the above named applicant was a Revolutionary Soldier and served as he states in his declaration And the court further certifies - that it further appears to them that Benoni Harris who has signed the preceding certificate is a clergyman resident in the neighborhood of the above named applicant ~~in the County of LaGrange aforesaid~~ [sic] And that Moses J. Hill, ~~Daniel Fox and William A. McNeal~~ [sic] Moses Rice & Andrew Crawford who have also signed the same and are respectable men and also live in the neighborhood of the said applicant in the said county and that their statements are entitled to credance [sic] and respect -

It is ordered that it be certified to the Board of County Commissioners that Luther Newton receive the sum of twelve dollars and Ephraim Seely ~~are allowed~~ [sic] receive the Sum of Ten Dollars ~~each~~ [sic] for ~~five days~~ [sic] their servies as associate Judges at rhe November Term for the year A. D. 1833 in the Lagrange Circuit Court -

And the court adjourned until tomorrow morning at 9 Oclock
Signed 23d Nov. 1833

G. A. Everts

Luther Newton

Saturday morning 9 Oclock
the 23d Nov. 1833 court met pursuant to adjournment present

the same Judges & officers of court as on yesterday except Judge Seely who is absent

p. 71

November Term 1833

State of Indiana)
)
vs) Indictment for fornication Judgment
)
Lydia Bowers) On Motion for new trial

Now comes The parties and The court overrule said motion - It is Therefore considered by The court That The said defendant as to ~~The~~ [sic] said offence go hence without day

State of Indiana)
)
vs) Indictment for Assault and Battery -
)
John Leverich) Judgment On Motion for New trial

Now comes The parties and The court overrule said motion It is Therefore considered by The court That The said defendant go hence without day -

State of Indiana)
)
vs) A. B.
)
Joel Leverich)

Now here comes John B. Chapman Esqr. prosecuting the pleas of the State and the defendant in his own proper person also comes and being arraigned upon the indictment aforesaid for plea thereto he says he is ~~not~~ [sic] guilty as he stands indicted - It is therefore considered by the court

that said State of Indiana do recover against the said defendant the sum of one dollar fine besides the costs of this prosecution and that he stand committed to the custody of the sheriff until the said fine & costs be paid or replevied -

p. 72

Nov. Term 1833

Ira Leverich)
)
vs) Debt
)
Joel Leverich)

nd now comes the said Ira Leverich by Colerick his counsel and files his cause of action (being a promissory note) in this behalf in these words (here insert the note) And thereupon the Said Joel Leverich in his own proper person also comes and freely in open court waives time of process in this behalf and says he cannot gainsay or deny but that he is justly indebted to the ~~State~~ [sic] said plaintiff in the sum of three hundred dollars debt ~~and~~ [sic] and the sum of fifteen . . .damages for the detention thereof, as Contained in said promissory note It is therefore considered by the court that said plaintiff do recover against the said defendant the said sum of three hundred and fifteen dollars as debt & damages as aforesaid confessed besides his costs and charges in this behalf expended &c -

State of Indiana on the)
)
relation of Archibald Scott)
)
vs) Information in nature
)
Edmund Littlefield) of Quo Warranto

Now at this day here comes John B. Chapman Esqr prosecuting the pleas of the

p. 73

Nov. Term 1833

State of Indiana and files on behalf of the said relater [sic] his information in this behalf in these words towit (here insert it) and thereupon on motion of the said attorney a writ of quo warranto is ordered to issue in this behalf directed to the sheriff & returnable to the first day of the next term & this suit is continued -

G. A. EvertSr

Luther Newton

List of Grand Jurors Selected & Drawn at The March Session of the board of County Commissioners to wit

1 Abraham Langdon
2 John Kromer
3 John B. Clark
4 Jacob Gage
5 John Olney
6 Benjamin Fox
7 Andrew Newhouse
8 Arthur Burrows
9 William S. Prentiss
10 Moses Chapman
11 Jesse Champlin
12 Daniel Fox
13 William Demsey [Dunsey?]
14 Micajah Harding
15 Nehemiah Coldren
16 Ami Lawrence
17 Lemuel Fobes
18 William McCoy

---

21 Henry Hostetler
22 Leonard Appleman
23 William Thrall
24 Jacob Vandeventer

at the March Term of The Lagrange Circuit Court

Petit Jurors Selected & Sworn at the same time to wit

1 George Donaldson
2 Edward Smith
3 Barnabas Thompson
4 John Gardner
5 William Stevenson
6 David Austin
7 George Egnew
8 Felix Miller
9 Richard Warfield
10 Robert Hamilton
11 Jonathan Gardner
12 Luke Diggins
13 Robert Latta
14 Ira Leverich
15 Peter Huntsman
16 Obed Ganes
17 Isaac Wolgamot
18 Benjamin Jones
19 Jacob Wolf
20 Dan 1 Vanantworp

p. 75

March Term 1834

At a term of the circuit court of Lagrange County in the State of Indiana begun & held at the house of Thomas Gale in the county aforesaid (being the place provided by the commissioners of said county to hold said court) on Monday the 24th day of March in the year of our Lord one thousand eight hundred and thirty four before the honorable Gustavus A. Everts president Judge of the eighth Judicial circuit of the State of Indiana, and Luther Newton & Ephraim Seely Esqrs the associate Judges of the said circuit court present also Daniel Harding Esqr. Sheriff and Joshua T. Hobbs Clerk -

Daniel Harding Esqr. now returns into court the ~~follow~~ [sic] venire issued heretofore in this behalf and brings into court the following panel of grand Jurors to serve as such as [sic] during the present term towit: William S. Prentiss who is by the court appointed foreman and is sworn as such, John Kromer, John B. Clark, Jacob Gage, Abraham Langdon, John Olney - Benjamin Foos - Andrew Newhouse - Jesse Campbell - Daniel Fox - William Demsey - Micajah Harding Jr. - Nehemiah Coldren - Ami Lawrence Lemuel Fobes - William M'Coy Sixteen good and lawful men of the county of Lagrange & state of Indiana who ~~were~~ [sic] being impannelled sworn & charged in the Lagrange circuit court to inquire within & for the said county of Lagrange retire to their room to deliberate under charge of Ward Noyes a sworn baliliff of this court

On motion of Samuel C. Sample Esqr John B. Niles Henry Cooper, Thomas Johnson Martial [?] S. Hagar were admitted Attornies [sic] and counsellors at Law at the bar of this court and were severally sworn as such

Overruled by the court that it be certified of Record that John S. Lacey is a man of good moral character -

State of Indiana)
)
vs) Attachment for contempt
)
Ebenezer Fish)

p. 76

March Term 1834.

Now here comes the said Ebenezer Fish in his own proper person and being put upon oath concerning his contempt aforesaid, and the court having heard the said defendant on oath, the court discharge him from the contempt aforesaid

State of Indiana)
)
vs) Attachment for Contempt
)
Nehemiah Coldren)

Now here comes John B. Chapman Esqr. prosecuting the pleas of the said State of Indiana and the said defendant also comes. And being put upon oath to purge himself of the contempt aforesaid for not appearing & serving as a Juror at the last Term of this court. Whereupon the Court having heard the excuse of the said defendant, deem the same insufficient to acquit the said defendant of the contempt aforesaid Whereupon it is con-

sidered by the court that the said defendant make his fine to The State of Indiana in the sum of Fifty cents, besides her costs of this prosecution

State of Indiana)
vs) Attachment for contempt
Jacob Gage)

Now here comes the said Jacob Gage in his own proper person and being put upon his oath concerning the Contempt aforesaid And the Court having herd [sic] the excuse of the said defendant on oath, The Court discharge the said defendant from the Contempt aforesaid

State of Indiana)
vs) Indictment for betting
John Moore)

On motion of The Prosecuting Attorney, The Court award an alias capias against the said defendant and this cause is continued

p. 77

March Term 1834.

State of Indiana)
vs) Indictment for Assault & Battery
James Huntsman)

Now at this Time Comes John B. Chapman Esqr prosecuting the pleas of the State of Indiana in this behalf. And the defendant in his own proper person comes also and being

arraigned upon the indictment aforesaid. And it being forthwith demanded of him how he will acquit himself of the offence [sic] in the said indictment charged against him for plea thereto says he is guilty in manner and form as he stands charged, and thereupon the court assess ~~the~~ [sic] a fine against the said defendant of five dollars - It is therefore considered by the court that the State of Indiana do recover against the said James Huntsman the sum of five dollars besides the costs & charges of this prosecution, and that he stand ~~charged~~ [sic] committed to the custody of the Sheriff until the said fine & costs are paid or replevied - And thereupon here comes into open court William Enoch and acknowledges himself replevin bail & security for the said defendant for the payment of said fine & costs within three months from this date

State of Indiana)
)
vs) On Recog. Forfeited
)
Andrew Drouillard)

Now comes John B. Chapman Esqr prosecuting the pleas of the State and the said defendant in his own person comes and surrenders himself into the custody of the sheriff and moves the court to set aside the forfeiture had in this behalf at the last term, which motion of the defendant by consent of said prosecuting attorney is sustained - It is therefore considered by the court that the Scire facias in

this case & the forfeiture be set aside and that the State of Indiana do recover against the said defendant her costs in this behalf expended -

p. 78

March Term 1834

State of Indiana)
)
vs)
)
Jacob Miller)

Scire facias

on Recognizance forfeited

Now comes as well John B. Chapman Esqr. prosecuting the pleas of the State and the defendant by Sample his counsel also comes and it being admitted by the said prosecuting attorney aforesaid that since the last term of this court the said Jacob Miller ~~in dis~~ [sic] took and delivered the said Andrew Drouillard into the custody of the sheriff - Whereupon on motion of the said defendant the said Scire facias, and forfeiture of recognizance taken in this behalf at the last term of this court is set aside - It is therefore considered by the court that the said defendant as to said recognizance furfeiture and Scire facias be acquit, & discharged & that as to the same he go hence without day & that the state of Indiana recover against him her costs in this behalf expended

State of Indiana)
)
vs)
)
Nehemiah Coldren)

(sic)

Attachment for contempt

Now comes as well John B. Chapman Esqr prosecuting the pleas of the State of Indiana and the defendant in person also comes and not furnish a sufficient excuse for his absence as a Juror at the last term the court assess his fine at fifty (sic) cents & costs - It is therefore considered by the court that the Stste of Indiana recover against the said defendant the sum of fifty cents besides her costs in this behalf expended

State of Indiana)
)
vs) Indictment for retailing
)
Arthur Burrows)

Now comes as well John B. Chapman Esqr, prosecuting the pleas of the State as [well as] the said defendant in his own proper person, and for plea to said indictment says he is guilty in manner & form as he stands charged - And thereupon the court assess his fine at the sum of two dollars - It is therefore considered by the

p. 79 March Term 1834

court that the said ~~def~~ [sic] State of Indiana do recover against the ~~state~~ [sic] said defendant the sum of two dollars besides the costs of this prosecution & that he stand committed ~~unto~~ [sic] in the custody of the sheriff until said fine & costs are paid or replevied

State of Indiana)
)
vs) Indictment for retailing
)
Areshi [?] Burrows)

Now comes as well John B. Chapman Esqr. prosecuting the pleas of the State of Indiana as ~~well~~ [sic] the said defendant in his own proper person and the said defendant files his plea in abatement in these words (here insert it) And a rule is granted against the said prosecuting attorney to reply on tomorrow morning

State of Indiana)
)
vs) Indictment for selling spirits to Indians
)
Andrew Drouillard)

And now comes as well John B. Chapman Esqr. prosecuting the pleas of the State as the defendant in his own proper person and being arraigned upon the indictment aforesaid for plea thereto he says he is not guilty in manner and form as he stands indicted and for trial thereof he puts himself upon the country & the prosecutor doth the like And thereupon here comes a Jury to try said issue towit: John Gardner, Barnabas Thomason - Edward Smith - William Stevenson - Robert Latta George Donalson - Luke Diggins - Jonathan Gardner Richard Warfield - Peter Huntsman - Robert Hamilton - Isaac Wolgamot, twelve good and lawful householders of the said county of Lagrange who ~~are~~ [sic] being duly elected tried & sworn the truth to say and a true verdict ~~towit~~ [sic] to give upon their oath aforesaid find the following verdict towit "We the Jury do find the defendant guilty as he stands charged in the Second count of the indictment and assess his

fine at the sum of five dollars" And thereupon the said defendant gives notice that he will

p. 80 March Term 1834

on tomorrow morning move the court to grant him a new trial for reasons which he will then file - & day is given - And the court adjourned till tomorrow morning nine oclock

G. A. Everts

Tuesday Morning 9 Oclock March 25th 1834 the court met pursuant to adjournment present the same Judges and officers of court as on yesterday, ~~also present~~ [sic]

State of Indiana)
)
vs) Retailing without license
)
Arthur Burrows)

Now comes as well John B. Chapman Esqr prosecuting the pleas of the State as the said defendant, and thereupon the said prosecuting attorney says he will no further prosecute the said indictment against the said defendant - It is therefore considered by the court that the said defendant as to said indictment go hence without day -

State of Indiana)
)
vs) Fornication
)
Ignatius K. O'Ferrell)

Now here comes John B. Chapman Esqr prosecuting the pleas of the State of Indiana and says he will no

further prosecute the said indictment against the said defendant - It is therefore considered by the court that the said defendant as to said indictment go hence without day

Jonathan Hoyt and)
)
Tolman Wheeler partners under)
)
the name & firm of Hoyt & Wheeler)
)
vs) Debt -
)
Lewis B. Judson)

Now come the parties afore

p. 81 March 1834

said and thereupon the defendant moves the court to quash the writ in this behalf, which motion the court take under advisement & day is given the parties

State of Indiana)
)
vs) Scire facias on recognizance forfeiture
)
Jacob Staner)

Now comes ~~the-parties-aforesaid-&-thereupon the-said~~ [sic] as well John B. Chapman Esqr prosecuting attorney as the defendant by his counsel & a rule is granted against the said defendant to plead in this behalf on or before the next calling of this cause and day is given -

State of Indiana)
)
vs) Scire Facias on recognizance forfeiture
)
William Huntsman)

Now comes as well John B. Chapman Esqr prosecuting the pleas of the State as the defendant by his counsel and a rule is granted against the said defendant to plead in this behalf on or before the next calling of this cause and day is given

On motion of David H. Colerick Esqr. Columbia Lancaster Esqr. is admitted to practise [sic] as an attorney and counsellor at law at the bar of this court, and thereupon the said Columbia Lancaster is now in open court sworn to support the constitution of the United States and the constitution of the State of Indiana and to faithfully ~~and~~, [sic] honestly & diliegntly [sic] discharge his duties as such Attorney & counsellor at law

On motion of Sam[l] C. Sample Esqr. John S. Lacy is admitted to practice as an attorney Y counsellor at law of this court during the present term & is sworn accordingly

p. 82

March Term 1834

James Frier)
)
vs) Attachment.
)
Henry Pain)

Now at this time comes the plaintiff by McGaffey his counsel and on motion this cause is continued untill [sic] the next Term of this court

State of Indiana)
)
on the relation of Archibald Scott)
)
vs) quo warranto
)
Edmund Littlefield)

Now at this time comes ~~the-parties-and-thereupon~~ [sic] John B. Chapman, Esqr prosecuting attorney, in behalf of said State of Indiana and the defendant by counsel. Whereupon on motion of the Prosecuting Attorney a rule is granted against the said defendant to plead in this behalf on or before the next calling of This Cause

William A. McNeal)
)
vs) Appeal
)
William Gale) Continued untill [sic] the next Term of this court - by operation of Law -

State of Indiana)
)
vs) Indictment for Assault & Battery
)
Andrew Crawford)

Now at this time comes John B. Chapman prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes. And being placed at the bar of this court and being forthwith demanded of him how he will acquit himself of the charges contained in said Indictment, for plea or answer thereto says he [is] not guilty and for trial thereof he puts himself upon the country -

p. 83

March Term 1834

And the said Prosecuting Attorney doth the like And thereupon comes a Jury to try the issue aforesaid to wit, Isaac Wolgamot, Luke Diggins Jonathan Gardner John Gardner Dan-Vanantwerp Benjamin Jones William Stevenson Richard Warfield Peter Huntsman Robert Hamilton Edward Smith Barnabas Thompson, twelve good and lawful men householders and free holders of The County of Lagrange who being duly Elected tried and sworn the truth to say upon the issue Joined aforesaid and a true verdict to give upon their oath aforesaid do find ~~and say~~ [sic] the following verdict to wit We The Jury find the defendant guilty and assess his fine at the Sum of one dollar and fifty cents.

~~It is therefore considered by the~~ [sic] Thereupon the defendant gave notice for New Trial for reasons which he will file tomorrow morning.

Abraham Langdon is discharged by the court from further attendance as Grand Juror at the present Term of this court on account of sickness

State of Indiana)
)
vs) on Indictment for betting
)
Ica J. Rice)

Now at this Time comes John B. Chapman Esqr. prosecuting attorney for the said State of Indiana in this behalf, and the defendant in his own proper person also

comes. And being arraigned upon the indictment aforesaid and it being forthwith demanded of him how he will acquit himself of the charge contained in said Indictment for plea or answer thereto says he is not guilty in manner and form as he therein stands charged and for Trial Thereof he puts himself upon the Country and The prosecutor doth the like, thereupon comes a Jury to Try The issue Joined aforesaid, to wit

p. 84

March Term 1834

saac Wolgamott, Benjamin Jones Peter Huntsman Robert Hamilton ~~Luke-Diggins~~ [sic] Jonathan Gardner Daniel Vanantwerp Henry Hostetler Edward Smith Jonathan Gardeners Barnabas Thompson William Stevenson and John Gardeners twelve good and lawful men free holders and house holders of the said County of Lagramge who being duly Elected Tried and Sworn the truth to say upon the issue Joined aforesaid and a true verdict give according to evidence upon their Oath aforesaid do find the following verdict towit "We The Jury do find the defendant not guilty" It is therefore considered by the court that the said defendant as to the said offence [sic] charged in said Indictment do go hence without day -

State of Indiana)
)
vs) Indictment for selling to Indians
)
Andrew Drouillard)

Now at This time comes John B. Chapman Esqr Prose-

cuting Attorney for The said State of Indiana in this behalf in [and] the defendant in his own proper person also comes. And being arraign [sic] upon The Indictment aforesaid and it being forthwith demanded of him how he will acquit himself of the offence [sic] charged in said Indictment for plea thereto says he cannot gainsay or deny that he is guilty in manner and form as he therein stand charged ~~It is therefore considered by the court That~~ [sic] Thereupon The court assess his fine at The sum of five dollars It is therefore considered by The court that the said State of Indiana do recover against the said defendant The sum of five dollars as above assessed besides her costs in this behalf laid out and expended. And that he stand committed in The custody of the sheriff untill [sic] the said fine and costs are paid or replevied Thereupon comes into open court Silas Thrailkill and acknowledged himself replevin bail & Security for the

p. 85

said defendant for The payment of The above fine and costs and costs to accrue within three months. -

State of Indiana)
)
vs) Indictment for Selling Spts to an Indian
)
Andrew Drouillard)

Now at This time comes John B. Chapman Esqr prosecuting the pleas of the said State of Indiana, and the said defendant in his own proper person also comes and being arraigned upon the indictment aforesaid and it being forthwith

demanded of him how he will acquit himself of the offence charged in said indictment, for plea or answer thereto says he is not guilty in manner and form as he therein stands charged and for trial thereof he puts himself upon the Country and The Prosecutor doth the like - Thereupon come a Jury to try The issue Joined aforesaid to wit James Selford [?] Mathias McKeal Robert ~~Hamilton~~ [sic] Johnson Henry Hostetler Andrew Crawford Jacob Wolf William Adair William Leverich Henry Switzer Leonard Appleman William A. McNeal and Abraham T. Craft, Twelve good and lawful man householders and free holders of The County of Lagrange, who being duly elected tried and sworn the truth to say upon the issue Joined aforesaid and a trueverdict to give according to evidence upon their oath aforesaid do find The following verdict, We The Jury find the defendant not guilty ~~and~~ - It is Therefore considered by The court that the said defendant as to said offince [sic] charged in said Indictment go hence without day

p. 86

March Term 1834.

And the court adjourned untill [sic] tomorrow morning -

John O'Ferrell)
)
vs) Covenant
)
Dudley Thorpe)

Now come the parties and thereupon the defendant files his demurrer to the plaintiffs declaration in

these words towit (here insert it) & a rule is granted against said plaintiff to Join in demurrer at the next calling of this cause & day is given

And the court adjourned until tomorrow morning at 9 Oclock

G. A. Everts

Wednesday Morning 9 Oclock March 26 A. D. 1834. Present the same Judges and officers of the court as on yesterday -

Moses Chapman for good reasons shown the court is examined for not attending [and] discharged from further servic[e] on the ~~traverse~~ [sic] Grand Jury during the present term

State of Indiana)
)
vs) Assault & Battery
)
Andrew Crawford)

Now come the parties aforesaid and thereupon the defendant moves the court to grant him a new trial for reasons orally shown the court which motion the court overrule and on motion of the said prosecuting attorney the court render the following Judgment on the verdict & finding of the Jury to wit "It is therefore considered by the court that the said state of Indiana do recover against the said Andrew

p. 87

March Term 1834

Crawford the sum of one dollar and fifty cents fine as by the Jury aforesaid assessed & found besides her costs & charges in this prosecution expended -

State of Indiana)
)
vs) Sci. fa on
)
Jacob Staner) Recognizance forfeited

Now comes as well John B. Chapman Esqr prosecuting the pleas of the State of Indiana as the said defendant by Cooper & Colerick his counsel & thereupon the said defendant files his plea in this behalf in these words towit (here insert it) And a rule is granted against the said plaintiff to reply on a tomorrow morning & day is given ~~& the said plaintiffs now withdraw their papers~~ [sic]

David Page & Reed Page)
)
vs) Debt -
)
Joseph Kerr & Lewis B. Judson)

Now come the parties af- d and thereupon the said defendants moves the court to quash the writ in this behalf which motion the court sustain - It is therefore considered by the court that the plaintiffs take nothing by said writ and that said defendants as to said writ & action go hence without day

And the said plaintiffs now withdraws their papers and that said defendants recover against the plaintiffs their costs in this behalf expend[ed]

Jacob Carr)
)
vs) Debt.
)
Hugh Allison)

And now come the said parties and ~~the defendant by Hayes and Sample his counsel files their d his demurrer in this behalf in these words towit (here insert it) to which demurrer the plaintiff files his demurrer Joinder in these words towit (here insert it) and thereupon the court having heard this argument of counsel take until the next term to advise of and concerning the matters said demurrer and this cause is continued~~ -- [sic] this cause by agreement is continued

p. 88

March Term 1834

David & Reed Page)
)
vs) Debt
)
John Emmerson &)
)
Ephraim Seeley)

Now come the parties and by their agreement this cause is ~~continued~~ [sic] dismissed at the costs of the defendants, & the papers are withdrawn It is therefore considered by the court that the said plaintiffs recover against the said defendants their costs in this behalf expended -

Rec'd $2.50 the docket fee in the above case S. C. Sample for pltfs

State of Indiana on the)
)
relation of Archibald Scott)
)
vs) Quo Warranto
)
Edmund Littlefield)

The said parties by counsel come and thereupon the said defendant files his demurrer to said information in these words (here insert it) and a rule is granted against the said prosecuting attorney to Join in demurrer on or before the next calling of this cahse

State of Indiana)
)
vs) Fornication
)
William Huntsman)

Now here comes John B. Chapman Esqr. prosecuting the pleas of the State of Indiana and the defendant in his own proper person also comes and being arraigned ~~at the~~ [sic] upon the said indictment and it being forthwith demanded of him how he will acquit himself of the fornication charged against him in the said indictment ~~charged against him~~ [sic] for plea thereto he says he is not guilty as charged & for trial thereof for good or for evil he puts himself upon the country ~~and the said proseeuter aforesaid doth the like~~ [sic] - And the said John B. Chapman Esquire who prosecutes the pleas of the State of Indiana doth the like - And thereupon the issue in this behalf being Joined ~~the~~ [sic] here comes a Jury to try the Same towit: Leonard Appleman - Jacob Wolf -

p. 89

March Term 1834

Isaac Wolgamot William Stevenson George Donaldson William A. McNeal John Gardner Jonathan Gardner Richard Warfield Moses Chapman Henry Hostetler and Daniel Vanantwerp, twelve

good and lawful men of The County of Lagrange who being ~~well and truly~~ [sic] duly Elected tried and sworn the truth to say upon the issue Joined aforesaid and a true verdict to give according to evidence, upon their oath aforesaid do find the following verdict to wit "We The Jury find the defendant guilty on the first and second counts of said indictment and assess his fine at the sum of fourteen dollars" thereupon the defendant gives notice that on tomorrow morning he will move the Court for a new trial for reasons which he will then file & day is given

Hoyt & Wheeler)
)
vs) Debt.
)
Lewis B. Judson)

The parties come and the ~~defendant moves~~ [sic] the court ~~to quash the writ in this cause which~~ [sic] having advised of and concerning the said motion sustain the same It is thereupon considered by the court that the said writ be quashed - Whereupon ~~on motion of the said plaintiffs an alias capias is awarded returnable to the first day of the next term and this cause is continued~~ [sic] the said plaintiffs now by counsel discontinue their said suit & withdraw their papers - It is therefore considered by the court that said defendant as to said writ go hence without day & recover against the said plaintiffs his costs & charges in this behalf expended -

p. 90

March Term 1834

Daniel Davis)
)
vs) Appeal
)
Timothy R. Wallis)

Now comes the appellant in this cause and it appearing to the court that this cause was not filed Ten days before the first day of this Term, this cause is continued untill [sic] The next Term of this Court

State of Indiana)
)
vs) Sci - fa - on Recognizance forfeited
)
William Huntsman)

Now at This Time comes as well John B. Chapman Esquire prosecuting the pleas ~~Attorney~~ [sic] of the State of Indiana as the said defendant in [sic] by his Counsel Cooper & Colerick and thereupon the said defendant files his plea in this behalf in these words here (insert it) [sic] And a rule is granted against the plaintiff to reply on tomorrow morning & day is given the parties -

State of Indiana)
)
vs) Indictment for biolation of
)
Richard Fowler) The Estray Laws -

On motion to quash the indictment in this bahalf for reasons as follows to wit [sic]

Now at this time comes as well John B. Chapman Esqr prosecuting the pleas of the State of Indiana in this

behalf as the defendant in his own proper person And Thereupon the defendant by counsel moves the court to quash said Indictment for the following reasons to wit first, That the indictment is spread on two different sheets of paper not attached

Second That neither sheet of paper contains an entire Indictment -

p. 91

March Term 1834.

Third - That all the counts in said Indictment are imperfect and insufficient even were the two papers attached and considered one entire indictment &c" Thereupon the court sustain said motion. It is therefore considered by the court that the said indictment is spread upon two separate and unattached sheets of paper - And that the said defendant as to said ofence [sic] charged in said indictment do go hence without day

G. A. Everts

Thursday Morning, 9 o'clock, March 27th-- 1834.

Court met pursuant to adjournment Present the same judges & officers of the court as on yesterday -

State of Indiana)
)
at the relation of)
)
Archibald Scott)
)
vs.) Quo Warranto
)
Edmund Littlefield)

The said parties by counsel come, & thereupon the prosecuting attorney files his joinder in demurrer in this behalf.

State of Indiana)
)
vs) Sci. fa. on recognizance forfeited
)
Jacob Stayner)

Now at this time comes as well John B. Chapman, prosecuting the pleas of the State of Indiana, as the said defendant by his counsel, & thereupon the said prosecuting attorney now files his replication to said plea in these words (here insert it) and thereupon the court having heard the argument of counsel sustain the plea of said defendant It is therefore considered by the court that there is no such record of recognizance as is suggested in the said Scirefacias ~~It~~ [sic] & it is further considered by the court that said recognizance be set aside that said Scire facias

p. 92 March Term 1834

be quashed and that said defendant be discharged from new [?] recognizance & as to said Scire facias that he go hence acquit & discharged without day

John O'Ferrell)
)
vs) Covenant
)
Dudley Thorpe)

The parties come and thereupon the said defendant

on affidavit filed now moves the court to continue this cause until the next term of this court and ~~the~~ [sic] which motion is sustained by the court ~~at the defendant~~ [sic] and that said cause be continued at the defendants costs - It is therefore ordered by the court that said defendant pay the costs of this term within sixty days or in default thereof an attachment will issue to compel the payment thereof -

State of Indiana)
)
vs) Scifa
)
William Huntsman)

Now come the parties aforesaid and thereupon the said prosecuting attorney now files his ~~ben~~ [sic] replication to the said defendants plea in these words towit (here insert it) And thereupon the court having heard the argument of counsel sustain the said defendants plea - It is therefore considered by the court that there is no such record as is suggested in said Scire facias that said ~~de~~ [sic] recognizance by [be] set aside that the defendant be discharged therefrom & that said Scire facias be quashed & that said defendant as to the same go hence without day

Moses Hill)
)
vs) Assumpsit
)
Oliver Clossen)

Now come the parties aforesaid and

thereupon the plaintiff asks and obtains leave to amend his declaration within sixty days at his own proper costs which motion of the plaintiff is sustained - It is therefore ordered by the court that the said ~~def~~ [sic] plaintiff do pay the costs of the present term of this court and of said amendment & this continuance within ninety days or in default thereof that an attachment do issue to compel their payment & this cause is continued &c -

Sub-Trustees)
)
vs) Appeal Taken Under advis[e]ment from last
)
William Enoch) Term

Now at this time comes the parties and the court having advised of and concerning the above case - It is therefore considered by the court that this cause be dismissed and that the defendant recover against the the [sic] said Sub-Trustees of district N. Three Township N. Thirty Eight North of Range Ten East, his costs and charges in this behalf laid out and expended

The Grand Jurors now come into court and return Sundry bills of Indictments endorsed true bills of indictment and signed by their foreman as such which bills are filed by the Clerk of this court - Also the following report of the County Jail towit (here insert it)

Loring R. Brownell)
)
vs) Case
)
Andrew Drouillard)

Now at this time comes the parties and by consent of the said parties this suit is dismissed at the costs of the defendant It is therefore considered by the court now here that the said suit stand dismissed and that the said plaintiff do recover against the said defednant his costs and charges in this behalf expended - Thereupon comes into open court William Adir and acknowledges himself replevin bail and security for the said Andrew Drouillard for the payment of the said costs of suit -

p. 94

March Term 1834.

State of Indiana)
)
vs)
)
George Egnew)

Now at this Time comes George Egnew and Elias B. Smith And severally acknowledge themselves to owe and be indebted unto the State of Indiana in the sum of One hundred and Twenty five Dollars each to be levied upon their goods and chattels lands and Tenements if default be made in the following condition towit that if the above bound Geor[g]e Egnew shall be and appear before the Judges of the Lagrange Circuit court, on the first day of the next Term thereof, to answer

unto the State of Indiana on five several indictments of - retailing without license, and not depart the Court without leave thereof, then this recognizance to be void and of no Effect, otherwise to remain in full force

State of Indiana)
)
vs) On Indictment for Fornication
)
William Huntsman)

Now at this time Comes the parties aforesaid And The defendant withdraws his motion for New Trial - thereupon it is considered by the court that the State of Indiana recover against the said William Huntsman the sum of Fourteen dollars his fine assessed by the Jury aforesaid besides her costs and charges in this behalf expended. Thereipon Comes into open court John Huntsman and acknowledges himself replevin bail and Security for the said William Huntsman for the payment of the above fine and costs And costs to accrue within Three month from this date - And the defendant in mercy &c

p. 95

March Term - 1834

Houlton and Hughs)
)
vs) Assumpsit
)
Walker Carter &Co)

Now come the parties by their attorneys and on motion of the defendant on affidavit filed (~~here-insert it~~) this cause is continued untill [sic] the next term of this

court at the costs of the defendant it is order [sic] by the court that the said defendants pay the costs of the present term of this case in this court within sixty days or in default thereof that they be attached

Ordered that it be certified to the board of County Commissioners that Ward Noyrs is allowed by the court twelve Dollars and fifty cents for services as Bailiff of the court and Jury Room &c &c -

And the Court adjourned untill tomorrow morning 9 oclock

G. A. Everts

Friday Morning 9 Oclock March 28 1834 the court met pursuant to adjournment present the honorable G. A. Evertt & Luther Newton & the sheriff & clerk as on yesterday

Daniel Fox	)	
	)	
vs	)	In Chancery to foreclose a mortgage
	)	
Lewis B. Judson &	)	
	)	
Philip P. Mudgett	)	

Now here comes the said complainant and files his bill in chancery in this behalf and prays the court to award process by Subpoena in chancery against the said defendant Lewis B. Judson which is granted and thereupon it appearing to the satisfaction of the court upon affidavit filed that the said ~~Lewis B.~~ [sic] Philip P. Mudget is not a resident of the State of Indiana it is ordered by the court

that notice of the pendency of this suit be given to the said Philip P. Mudget, by publication for three Suc-

p. 96

March Term 1834

cessive weeks in the Fort Wayne Centinel [sic] a newpaper of general circulation printed at Fort Wayne in this state, at least 60 days before the first day of the next term of this court requiring the said defendant to be and appear before this court on the first day of ~~this~~ [sic] the next term ~~of this court~~ [sic] thereof to be holden at the house of Thomas Gale on Monday the 22d day of September next then and there to plead answer or demur to the said complainants bill of complaint or in default thereof the same as to him will be taken pro confesso and the matters & things therein contained will be decreed upon in his absence X

And therefore the said complainant now asks & obtains leave to amend his said bill of complaint & is ordered to file the same as amended ~~within~~[sic] sixty days before the first day of the next term & this cause is continued -

State of Indiana)
)
vs)
)
Otis Newton)

Now at this time comes into open court Otis Newton & Luther Newton and acknowledge themselves to owe and be indebted unto the State of Indiana in the sum of Twenty five Dollars each to [be] levied on the goods and chattles [sic] lands and tenements if default be made in the following condition to wit that if the above bound Otis

Newton shall be and appear before the Judges of the Lagrange Circuit court on the first day of the Next Term thereof to answer for Malicious Trespass, and abide the Judgment of the court and not depart without leave thereof then this recognizance to be void and of no effect otherwise to remain in full force and virtue in Law -

p. 97.

March Term 1834

Ordered by the Court that John Kromer be appointed County Surveyor for Tge Term of Three [years] from this date, for The County of Lagrange

The State of Indiana)
)
at the relation of)
)
Archibald Scott)
)
vs) Quo Warranto
)
Edmund Littlefield) Now come the parties by their attorneys and the Court after the hearing the argument of Counsel, not being sufficiently advised in the premises take this case under advisement untill [sic] the next term of this Court to give their judgment thereof ~~and day is given the parties &e~~ [sic] and this cause is continued

It is ordered by the court that writs of capias ad respondendum do issue on all indictments found at the present

term of this court and that the sheriff require Recognizances of the said defendants in the sum of $25.00 with surety in the like sum -

Jessie Harding and Garrett Van Antroop areeach allowed five dollars for four days servises [sic] as bailiff of this court during the present term -

A general rule is granted to take depositions both within & without this state

All pleas plaints & prosecutions now otherwise disposed of are hereby continued

And the court adjourns until court in course

Gustavus A. Evertt

p. 98 State of Indiana))SS Lagrange County) Be it remembered that on the seventeen day of June A. D. 1834, The Acts of the general Assembly of the State were recieved [sic] in the Clerk's office of said County

J. T. Hobbs Clk

List of Grand Jurors Selected by the board of County Commissioners for the County of Lagrange at their May Session 1834, to wit for the first Term

Richard Stone 1 Valentine Ewing 2 Mathias McNeal 3 Daniel D. Tompkins 4 Samuel Brown 5 Dudley Thorpe 6 Ignatius O'Ferrell 7 Adolphus Town 8 John Anderson 9 James Leeper 10

Otis Newton 11 Gideon Langdon 12 Solomon Griswold 13 David Smith 14 Jesse Huntsman 15 Jacob Stayner 16 William A. McNeal,Jr. 17 George D. P rmenter 18 And for the Second Term the following persons to wit John M. Brown Samuel Fish 2 Isaac Tibbetts 3 David Shobe 4 Amasa Norton 5 William McConnell 6 Jacob Vandeventer 7 Joseph Bradford 8 Edward Griswold 9 Adolphus Wolrath 10 Obed Ganes 11 William Caldwell 12 Jacob Gage 13 Thomas Gale 14 Calvin Chase 15 Samuel Hall 16 Aron Carey 17 Jonathan Woodruff And the said Commissioners at the Session aforesaid Selected the following named persons to serve as Petit Jurors for the first Term, to wit Jacob Miller 1 Lemuel Fobes 2 Samuel Gorthrop John L. Powers 4 James Gorthrop 5 Hartwell Coleman 6 John Jewett Ward Bradford John Anderson, Jr. Nathaniel Cullehan Robert Johnson Leonard Appleman E. B. Smith William Miller John Kile Isaiah Dungan Samuel Sidenor Henry Miller Datus Newton Benjamin Gale David Hanson George Thompson Samuel Fish Robert Hamilton and for the second Term the following to wit

p. 99 Frederick Hamilton Conrod Switzer//Jacob Sidener William Leverich William Fish Henry Hostetler Washington Hanshaw Samuel Anderson Jacob Shobe Lewis B. Judson William Enoch Norman Session James Edgar David McCoy John B. Clark Thomas Lock John Ewing John Stayner Joseph Foos Adam Engle William Sayburn Harvey Olmsted Labun Parks & Jesse Champlin -

p. 100 ~~March~~ [sic] September Term 1834

At a Term of the circuit court of Lagrange County in the State of Indiana begun and held at the Court house in the Village of Mongoquinong on Monday the twenty second day of September in the year of our Lord one thousand eight hundred and thirty four present The Honorable Gustavus A. Everts president Judge of the Eighth Judicial Circuit of the State of Indiana and Luthur Newton and Ephraim Seely Esquires associate Judges of said Court - also present Daniel Harding Sheriff of said County and Joshua T. Hobbs Clerk of said court

Daniel Harding Esqr Sheriff of Lagrange County now returns the venire heretofore to him directed and brings into court the following pannel [sic] of Grand Jurors to wit Ignatius K. O'Ferrall who is by the Court appointed Foreman and Sworn as such, Solomon Griswold David Smith Jesse Huntsman, Jr. Jacob Stayner John Anderson Adolphus Town Otis Newton ~~John Kromer--William Adair~~ [sic] Eight in number and no more of the persons named in said Venire answering to their names when called, the said sheriff by order of the court now summons and places in the pannel [sic] the following bystanders to wit John Kromer William Adair George Egnew Jonathan Gardner Daniel Fox and Edmund Littlefield who with the aforesaid eight make fourteen number good and lawful men of the County of Lagrange who being Empannelled [sic] sworn and charged in the said circuit court to inquire within and for the body of the said County of Lagrange retire to their room

to deliberate under charge of ~~a-sw~~ sic] David Stevenson a sworn officer -

~~State-of-In~~ [sic] Samuel C. Sample now produces in court his commission of prosecuting attorney on which

p. 101 September Term 1834

said commission is endorsed the oath to support the constitution of the United States, the State of Indiana and the Oath of office

State of Indiana)
)
vs) Indt. for betting -
)
John Moore)

Now comes Samuel C. Sample prosecuting the pleas of the State of Indiana and says he will no further prosecute the said indictment against the said defendant - It is therefore considered by the court that the said defendant as to said indictment go hence without day -

State of Indiana)
)
vs) Indt. for Larceny
)
Abel Hanson)

Now comes Samuel C. Sample prosecuting the pleas of the state and on his motion this cause is continued and an alias capias is awarded

State of Indiana)
)
vs) On Recognizance forfeited
)
David Riley)

Now at this day here comes Samuel C. Sample prosecuting the pleas of the State and the said David Riley being three times solemnly called and required to appear and answer to the said charge in the said recognizance Specified comes not but makes default whereby the said recognizance has become forfeited and the said defendant liable to pay ~~the said~~ [sic] to the said State of Indiana the said sum of ~~me~~ [sic] twenty five dollars and the Costs of this forfeiture - It is therefore Considered by the Court now here that the said State of Indiana do recover against the said defendant the said sum of twenty five dollars besides the costs in this behalf expended - And it is ordered by the Court ~~that the~~ [sic] that a writ of Scire facias do issue against the said David Riley requiring him to be and appear before this court

p. 102

September Term 1834

on the first day of its next term to shew [sic] cause if any he can why the said State of Indiana shall not have her execution against the said defendant to make the said sum of money and the costs aforesaid and this cause is continued -

State of Indiana)
)
vs) On Recognizance forfeited
)
Samuel Robinson)

Now comes Samuel C. Sample prosecuting the pleas of the said State of Indiana and the said Samuel Robinson being three times solemnly called comes now into Court and

being required to bring into Court the body of the said David Riley ~~Eeu~~ [sic] in discharge of his said recognizance totally omits and fails so to do - Whereby the said recognizance is forfeited and the said Samuel Robinson has become liable to pay to the said State of Indiana the said sum of twenty five dollars in said recognizance specified and the costs of this forfeiture - It is therefore considered by the court that the said State of Indiana do recover against the said Samuel Robinson the said sum of twenty five dollars besides the costs of this forfeiture - And it is ordered by the court that a Scire facias do issue requiring the said Samuel Robinson to be and appear before this court on the first day of the next term to shew [sic] cause if any he can why an execution shall not issue to make the said sum of money and costs

State of Indiana)
)
vs) Indt. for Retailing
)
George Egnew)

Now at this day comes Samuel C. Sample prosecuting the pleas of the State and the defendant aforesaid in person also comes and for plea to the said indictment says he is not guilty as therein charged and thereupon by agreement of the said parties this issue is submitted to the court for trial - Whereupon the Court having heard the evidence ~~are of the opinion that the de~~ [sic] find the defendant guilty as

charged in the indictment and assess his fine at the sum of two dollars - It is therefore considered by the Court that the said ~~defendant~~ [sic] State of Indiana do recover against the said defendant the said som of two dollars besides the costs of this prosecution - and that he stand committed to the custody of the sheriff until the said fine and costs are paid or replevied -

The State of Indiana)
)
vs) Indictment for Retailing
)
George Egnew)

And now on this day comes Samuel C. Sample prosecuting the pleas of the State - and the said Defendant in his proper person also comes and for Plea to the said Indictment - says he is not guilty as charged therein and thereupon by agreement of the said parties this suit is submitted to the decision of the Court, Whereupon the Court after hearing the evidence find the Defendant guilty as he stands charged in said Indictment and assess his fine at the sum of two dollars - It is therefore considered by the Court, that the said state of Indiana do recover of the said Defendant the said sum of two dollars besides the costs of this prosecution - and that he stand committed to the custody of the sheriff until the said fine and costs are paid or replevied -

The State of Indiana)	
)	
vs)	Indictment for Petit Larceny
Dennis Hussey)	

State of Indiana)
)
vs) Indt. for retailing
)
George Egnew)

And now at this day here comes Samuel C. Sample prosecuting the pleas of the State and the said defendant in his own proper person also comes and for

p. 104 September Term 1834

plea to the indictment aforesaid says he is guilty in manner and form as he stands charged - And thereupon the court assess the said defendants fine at the sum of two dollars It is therefore considered by the Court that the said ~~defen~~ [sic] State of Indiana do recover against the said defendant the said sum of two dollars besides the Costs of this prosecution and it us ordered by the Court that the said defendant stand committed to the custody of the sheriff until the said fine & costs be paid or replevied -

State of Indiana)
)
vs) Indt. for retailing
)
George Egnew)

And now comes Samuel C. Sample prosecuting the pleas of the State of Indiana and the said defendant in his own proper person also comes and for plea to the indictment aforesaid says he is guilty in manner and form as he stands charged - And thereupon the Court assess the said defendants fine at the Sum of two dollars. - It is therefore

considered by the Court that the Said State of Indiana do recover against the Said defendant the Said Sum of two dollars besides the costs of this prosecution, and it is ordered by the Court that the Said defendant stand committed to the custody of the Sheriff until the Said fine and costs be paid or replevied.

State of Indiana)
)
vs) Indt. for Retailing
)
George Egnew)

And now -

September Term 1834

p. 105

comes Samuel C. Sample, prosecuting the pleas of the State of Indiana, and the said defendant in his own proper person also comes, and for plea to the indictment aforesaid ~~also~~ [sic] says he is guilty in manner and form as he Stands charged - And thereupon the Court assess the Said defendants fine at the Sum of two dollars - It is therefore considered by the Court that the Said State of Indiana do recover against the Said defendant, the said Sum of two dollars besides the costs of this prosecution, and it is ordered by the Court, that the Said defendant Stand committed to the custody of the Sheriff, until the Said fine and costs be paid or replevied

Rec of George Egnew seventeen dollars and fifty cents in full payment for the docket fees due me in the five preceding cases 26 Sept 1834 Samuel C. Sample P.A. & J.C.

State of Indiana)
)
vs) Contempt & Assault on appeal
)
Samuel Robinson)

Now comes Samuel C. Sample prosecuting the pleas of the State ~~&-on-his-motio~~ [sic] & the defendant also comes and on motion of the said prosecuting attorney this ~~cause~~ [sic] appeal is dismissed because this Court can entertain no Jurisdiction thereof -

Jesse Harding is sworn as a bailiff of this Court during the present term

And the Court adjourned until tomorrow morning at nine Oclock

Signed Septr 23d 1834

G. A. Evertt

p. 106

September Term 1834

Tuesday morning 9 oclock September 23, 1834

Court met pursuant to adjournment present the same Judges and officers of the court as on yesterday -

On motion of Samuel C. Sample it is ordered by the Court that it be certified of Record that John B. Howe is a ~~person~~ [sic] man of good moral character

Davis Page &
Reed Page
vs
Lewis B. Judson &
Joseph Kerr

Now at this time comes the parties and on motion of the plaintiff a rule is granted against the defendants to plead in this behalf on or before tomorrow morning and day is given

Benjamin A. Bissel
vs
Lester Wallis et al

debt on promissory note

Now at this time come the Plaintiff by N. W. Goffey his counsel and the defendant being three times called comes not but herein wholy [sic] makes default. It is therefore considered by the court that that [sic] the said plaintiff do recover against the said defendant the sum of one hundred and sixty three dollars and fifty one cents being the amount of said promissory note with the interest thereon besides his costs and charges in this behalf laid out and expended

Thomas Gale
vs
Jonathan Woodruff Jr
& George Kellogg

debt

Now at this time comes the parties and the plaintiff on motion obtains a rule against the defendant to

plead in this behalf on or before tomorrow morning and day is given -

p. 107 September Term 1834.

Thomas Gale)
)
vs) Debt
)
Jonathan Woodruff Jr)
)
and George Kellogg -)

Now at this time comes the parties and on motion of the plaintiff a rule is granted against the defendants to plead in this behalf on or before to morrow morning & day is given the parties -

Thomas Gale)
)
vs) Debt
)
Jonathan Woodruff Jr)

Now at this time comes the parties and on motion of the plaintiff a rule is granted against the defendant to plead in this behalf on or before tomorrow morning and day is given

John O'Ferrall)
)
vs) Covenant
)
Dudly Thorp)

Now at this time comes the parties and the defendant withdraws his demurrur sic] thereupon on motion of the plaintiff a rule is granted against the said defendant to plead in this behalf on or before tomorrow morning and

~~day-is-given~~ [sic] thereupon the defendant craves oyer of the said indenture on which this action is founded

Dudley Thorp)
vs) Appeal
Luke Norris)

On motion of the plaintiff a rule is granted against the defendant to show cause on tomorrow morning why the appeal shall not be dismissed for want of a sufficient bond -

p. 108 September Term 1834.

Richard L. Brittain)
vs) Appeal
William Adair)

Now at this time comes the parties and defendant on motion obtains a rule against the Justice of the peace before whom the cause was originally tried to certify a true transcript of the proceedings had before him - Thereupon comes Micajah Harding the said Justice, in discharge of said rule and files ~~a-files~~ [sic] a complete transcript in this behalf

Alfred Thurston)
vs) Appeal
Jarvis Pike)

Now at this times comes the said defendant and the the [sic] plaintiff being three times called comes not - It is therefore considered by the Court that the said plaintiff become now suit & take nothing by his said action and that the said defendant recover against the said plaintiff his costs and charges in this behalf laid out and expended

George Foster)
)
vs) Appeal
)
Archabald Scott)

Now at this time comes the said Archabald Scott the appellant in this behalf and says he will no further prosecute his appeal It is therefore considered by the court that the said appeal be dismissed and that the said plaintiff recover against the said defendant his costs and charges in this behalf laid out and expended -

p. 109 September Term 1834 -

State of Indiana)
)
vs) On Indictment for Retailing
)
John Morrow)

Now at this time Samuel C. Sample Esqure prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and or plea to said indictment says he is guilty in manner and form as he therein stands charged Thereupon the court assess his

Rec my docket fee 2.00
S. C. Sample P. A.

fine at two Dollars It is therefore considered by the court that the Said State of Indiana do recover from the said defendant the sum of two dollars as above assessed besides the costs of this prosecution and that the said defendant do stand committed in the Custody of the Sheriff untill [sic] the said fine and costs are paid or replevied -

Recv. the above fine and costs in full Nov. 26 1834

J. T. Hobbs Clk

State of Indiana)
)
vs) On Indictment for Retailing
)
John Morrow)

Now at this time comes ~~the~~ [sic] Samuel C. Sample Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and for plea to said Indictment says, he cannot gainsay or deny, that he is guilty in manner and form as he therein stands charged. Thereupon the court assess his fine at the sum of two dollars - It is therefore considered by the court that the said State of Indiana do recover from the said defendant the said fine of two dollars besides hur [sic] costs and charges in this prosecution laid out and expended and that the said defendant do stand committed in the custody of the Sheriff untill [sic] the said fine & costs are paid or replevied

p. 110 September Term 1834.

State of Indiana)
)
vs) On Indictment for Retailing
)
John Morrow)

Now at this time comes Samuel C. Sample Esquire prosecuting the pleas of the State of Indiana in this behalf and says he will no further prosecute said Indictment - It is therefore considered by the Court that the said defendant as to said Indictment do go hence without day

Benjamin Gale is by the court for cause shown discharged from further attendance as Juror during the presant [sic] Term -

William A. McNeal)
)
vs) Appeal
)
William Gale)

Now at this time comes the parties by counsel and the plaintiff moves the Court to dismiss the appeal in this behalf, which motion the court sustain It is therefore considered by the court that the said appeal be dismissed at the costs of the appellant.

State of Indiana) The parties by Counsel come & dts
) The Def... in this case file
at the relation of Samuel) their demurrer in the discharge
) of a previous rule taken against
Robinson -) them, and the plaintiff files his
)
vs)
)
Edmund Littlefield)

[continued]

Luther Newton &) joinder thereto
William Thrall)

p. 111 Sept Term 1834 -

Thomas Gale)
vs) Re Debt
Jonathan Woodruff &)
George Kellogg)

And now come the said Defendants, and in discharge of previous rule taken against them, and file their plea, and day is given &c.

Thomas Gale)
vs) Re Debt -
Jonathan Woodruff &)
George Kellogg)

And now come the said Defendants and in discharge of a previous rule taken against them, file their plea - and day is given -

Thomas Gale)
vs) Re Debt -
Jonathan Woodruff)

And now comes the said Defendant, and in the discharge of a previous rule taken against him, and files his plea, & day is given &c.

John Crothers)
)
vs) In Debt
)
William P. Bromley)

And now comes the said Def-- dt and on affidavit filed, moves the court for a rule against the said plaintiff to show cause before the next calling of this cause why his said suit should not be dismissed for want of a bond for costs, and the court grants the rule

p. 114 September Term 1834

This day comes William Stead and makes application to the court to file a declaration of his intention to become a citizen of the United States Thereupon the necessary oath is administered in open Court, and his application placed on the files of this Court -

This day comes George Palfreyman and makes application to the Court to file a declaration of his intention to become a citizen of the United States Thereupon the necessary oath is administered in open court and his application placed on the files of this court -

Benjamin A. Bissel) Re
)
vs) Debt
)
Lester Wallis & Elias J. Swann)

Now comes the plaintiff by his counsel and

Recv. the Amount of this Judgment and my docket fee in full - July 17th 1834 Neal M'Gaffey Atty for Pltf

the Sheriff returns the process in this behalf served on the ssid Lester Wallis for more than ten days before the commencement of this Suit and not found as to the said Elias B. Swann. And thereupon the said ~~Wallis~~ [sic] Lister [sic] Wallis being three times solemnly called & required to defend the action aforesaid comes not but herein makes default Whereby the said plaintiff's action remains wholly undefended - It is therefore Considered by the court that the said plaintiff do recover against the said defendant the sum of One hundred and fifty eight dollars and seventy five cents in debt as specifid [sic] in the said note & declaration besides the sum of four dollars and seventy five cents in damages ~~in~~ [sic] making together the sum of one hundred and sixty three dollars and fifty cents as also ~~the~~ [sic] his costs & charges in this behalf expended -

Before me Clerk of said court personally comes Hubbard and acknowleded himself replevin bail and security for the said Lester Wallis for the payment of said Judgment and cost and costs to accrue within one hundred and eighty days from the date of said Judgment

Taken this 23rd of October 1834. J. T. Hobbs, Clerk

p. 115

September Term 1834

And the Court adjourned until tomorrow morning at Nine O'Clock -

Signed 24 Sept. 1834

G. A. Everts

September Term of LaGrange Circuit Court 1834 Wednesday morning nine O'clock, and now the said Court met persuant [sic] to adjournment, and the same Judges and officers present as of yesterday

Daniel Davis)
)
vs) Appeal, Re Debt
)
Timothy R. Wallace)

And now come the parties, and the said Defendant by counsel, shewith the court that the appeal bond of the said Plaintiff was exeucted on the twenty third day of February 1834, and that the appeal shewth, by the indorsement made thereon by theClerk of this court, that the said appeal was not filed until the fifteenth day of March 1834, on this state of facts, the counsel for the said Defendant moved the court to dismiss the said appeal of the Plaintiff, because the said facts shew [sic] the appeal was not filed within twenty days, according to law, and thereupon the said court after an inspection of the papers, and after hearing the arguments of counsel, dismissed the said appeal for the said cause, to which opinion and decision of the court the plaintiff excepts and files his bill of exceptions (here insert it) - And thereupon it is considered by the court that the said ~~Defendant~~ [sic] appeal be dismissed & that the said Timothy R. Wallis recover of the said plaintiff Daniel Davis his costs and charges in this behalf laid out and expended. & The court for cause shewn set aside

the aforesaid Judgment & dismissal and order that said appeal be reinstated - [sic]

p. 116

September Term A. D. 1834

Moses J. Hill)
)
vs) In Case - -
)
Oliver Clauson)

And now come the parties, and the Defendant files his three pleas in this behalf in discharge of a previous rule, and a rule is taken against the said Plaintiff to reply to said pleas on or before the next calling of this cause -

John Crothers)
)
vs) In Debt -
)
William P. Bromley)
)
James Leverich)

And now comes the Plaintiff and files his bond for security for costs, in discharge of rule taken against him &c

State of Indiana on the re-)
)
lation of Samuel Robinson)
)
vs) Debt
)
Edmund Littlefield et al)

Now come the parties aforesaid and the Court having heard the argument of Counsel and after due deliberation thereupon being had - it seems to the Court now here that the

said declaration and the matters and things therein contained in ~~the~~ [sic] manner and form as they are therein pleaded and set forth are not sufficient in law for the said plaintiff to have and maintain the said action against the said defendants - It is therefore Considered by the Court now here that the said plaintiff take nothing by said writ & action that the said defendants as to the same go hence thereof acquit with-

p. 117

Sept. Term 1834

out day & recover against Samuel Robinson the said relator their Costs and Charges in this behalf expended

David Page and)
)
Reed Page)
)
vs) Debt.
)
Lewis B. Judson & Joseph Kerr)

And now at this day here come the parties aforesaid and ~~thereupon~~ [sic] the said defendants and every of them fail to plead in this behalf in discharge of the rule heretofore taken against them & say nothing in bar or preclusion of said action whereby the ~~said~~ [sic] same remains wholly undefended It is therefore considered by the Court now here that the said plaintiffs recover against the said defendants the sum of two hundred and fifty dollars ----- debt in the said note & declaration mentioned besides the sum of twenty two dollars & twelve & one half cents in damages for the detention thereof - It is ~~therefore~~ [sic] making together

the sum of two hundred & seventy two dollars & twelve and one half cents besides their costs and charges in this behalf expended & the defendants in mercy &c -

And Court adjourned till tomorrow morning nine oclock.

G. A. Evertt

p. 118

September Term A. D. 1834

Thursday ~~Wednesday~~ [sic] Morning 9 Oclock

And now the said Court met persuant [sic] to adjournment, and the same Judges and officers of the court as of yesterday are now present - -

Daniel Fox)
)
vs) In Chancery - -
)
Lewis B. Judson &)
)
Philip P. Mudget)

And now here comes the complainant by his Soliciters [sic] and prove to the satisfaction of the court now here, that notice of the pendency of this bill of complaint, has been duly given to the said Philip P. Mudget by publication in the Fort Wayne Sentinal [sic] for three successive weeks for more than sixty days before the first day of the present Term of this Court, in conformity with and [sic] order made in that behalf, at the last Term of this Court And the said complainant also proves to ~~this court~~ [sic] the

satisfaction of this Court, that the subpoena in Chancery in this behalf, has been duly served upon the said Lewis B. Judson for more than thirty days previous to the first day of the Term of this court and required to plead answer or demurrer to said complainants bill of complaint, ~~be-and~~ [sic] come not but make default, whereby the said bill of complaint remains undefended and in no wise responded to - Whereupon on motion of said complainant, the said bill of complaint is taken as confessed and the matters and things therein contained & charged as true both in substance and fact - And now the said complainant in open court proves to the satisfaction of the court now here, That the said Exhibits marked "A" and "B" in said bill set forth were duly executed by the said Respondents in manner and form as the said complainant both in his said bill of complaint alledged [sic] And

p. 119

September Term A. D. 1834

And thereupon the court having seen and inspected the said bill of complaint and the said exhibits - and after due deliberation thereon being had - make the following order and decree in the premises, to wit -

It is ordered adjudged and decreed by the court now here that the said Lewis B. Judson and the said Philip P. Mudget the respondents in this case, by the said mortgage deed ment [sic] and intended to have conveyed in mortgage and security to the said complainant the West half of the North West

quarter of section number thirty-six, in township number thirty eight of Range number nine, instead of the said West half of the North West quarter of section number thirty-six of Range number nine of township number thirty as in said mortgage deed is by mistake inserted and set forth - And it is further ordered and decreed by this court that the said respondents within twenty days from this date do pay to the said Daniel Fox the said sum of five hundred dollars, in the said promissery [sic] note specified with interest thereon from the twenty third day of July in the year eighteen hundred and thirty three or in default thereof that the sheriff of this county after giving twenty days notice in three of the most public places in the township where the said land is situated, as well as advertise for three successive weeks in the Fort Wayne Sentinal [sic], a newspaper printed in the town of Fort Wayne in Allen County and State of Indiana, the time place and terms of sale of said land, according to the statute in such cases made and provided, proceed and sell at public out-cry at the court house door of this county, to the highest bidder the said West half of the North West quarter of section number thirty-six in township number ~~in-township-number~~ [sic] thirty-eight of Range number nine and the undivided half of the East half of the North West quarter of section number thirty-six in township number thirty-eight of Range number nine and the proceeds thereof after deducting the costs of this suit and the costs of sale, he will pay over to the said Daniel Fox in discharge of the said sum of five hun-

dred dollars & interest if the said proceeds shall amount to so much and in case the proceeds thereof, shall exceed the said sum interest & costs then the said Sheriff shall pay the surplus thereof to the said Respondents all of which is ordered and decreed by this court and it [is] also considered that the said complainant recover his costs &c - -

p. 120

September Term A. D. 1834

Daniel Davis)
)
vs) Appeal
)
Timothy R. Wallace)

And now come the parties and for reasons shown to this court now here, by the Plaintiff, this appeal which was on yesterday dismissed by this court, at the costs of said Plaintiff, ~~and it~~ [sic] is now here considered by this court for the said reasons, that this suit be restood [?]/to this court for trial, and placed on the docket of this court and that, the said judgment for costs rendered, on yesterday, against the said Plaintiff on the said dismissien [sic] of said appeal, be and is hereby set aside and said cause restood [?] to this docket for this court for trial &c and this cause is continued until the next calling of this court

The Grand Jury now comes into court, and returns sundry bills of Indictments, signed by their foreman as true bills, as well as a report of the condition of the jail And having no further

business before them, they were by the Court discharged -

Moses J. Hill)
)
vs) Assumpsit
)
Oliver Clossen)

Now come the parties aforesaid and the plaintiff files his demurrer to the said defendants said second plea in these words (here insert it) and the defendant files his joinder thereto in these words (here insert it) Whereupon it seems to the court here that the said second plea & the matters therein set forth & pleaded are not good and sufficient in law to bar and preclude the said plaintiff's action but because there is an issue of fact to be tried It is there-
considered]
fore/the Judgment of this court be stayed in this behalf

p. 121 Septr. Term 1834

and thereupon the defendant withdraws his said third plea from the files of the court - and an issue in this cause being joined to the country then here comes a Jury to try the samd towit Nathaniel Callehan - William Miller - David Hanson - John Jewitt - Robert Hamilton - Lemuel Fobes - Robert Johnson - Datus Newton - Leonard Appleman - John Anderson - Samuel Sidener - and James Gorthrop twelve good and lawful men of the County aforesaid who being elected tried and sworn the truth to say and a true verdict to give upon the issue Joined as aforesaid upon their oath do say & find the following verdict towit: We the Jury do find ~~the~~ [sic] for the

plaintiff upon the second count and assess his damages at the sum of One hundred and forty four dollars and sixty six cents and find for the defendant on the first & third counts - & thereupon the said defendant gives notice that he will move the Court for a new trial & day is given - And now comes also into open court James Leveridge [sic] who acknowledges himself [sic] replevin Bail & Security for the said Oliver Clossen, for the payment of the amount of the above Judgment interest & costs & acring [accruing] costs within one hundred and Eighty days next ensuing this date. [sic]

James Leverich)
)
vs) In Chancery
)
Susan Sweitzer)
)
Charles Sweitzer)
)
Ann Sweitzer &)
)
Lewis H. Sweitzer)

Now comes the said Complainant by Sample his Solicitor and files ~~the~~ [sic] his bill of complaint in this behalf in these words (here insert it) And thereupon here comes into open court the said Susan Sweitzer and enters her appearance to this cause and on motion of the Complainant the said Susan Sweitzer is appointed the guardian adlitem of the said Charles Sweitzer, Ann Sweitzer and Lewis H. Sweitzer infant heirs at law of the said Lewis Sweitzer deceased, and the said Susan Sweitzer now comes into court and accepts the said

guardianship and [sic] waives any [sic] process & and as such guardian for said heirs also enters her appearance to this action and zgrees as well as defendant as guardian as aforesaid to answer this bill - And tims cause is continued until next term -

Thomas Gale)
)
vs) Debt.
)
Jonathan Woodruff)
)
George Kellogg)

Now at this time comes the parties by counsel and the court after hearing the arguments of counsel overrule the plaintiffs demurrur [sic] to the said difendants [sic] plea in this behalf - and day is given & [sic] Thereupon the said plaintiff withdraws his said demurrer

Thomas Gale)
)
vs) Debt -
)
Jonathan Woodruff)
)
George Kellogg)

[sic] [sic]

Now at this time comes the parties by counsel and the Court after hearing the argument of counsel

State of Indiana)
)
vs) Indictment for forgery
)
Wm. P. Brumley)

~~-Be-it-remembered-that-on-this-day-~~ [sic]

Now at this day here comes Charles W. Ewing Esqr. being specially appointed by the Court to prosecute the pleas of the State in this behalf and the defendant ~~afore~~ [sic] William P. Brumley in his own proper person also comes and being arraigned upon the Indictment aforesaid for plea to the indictment aforesaid ~~comes~~ [sic] says he is not guilty in manner and form as he stands charged therein and for trial thereof he puts himself upon the country - And ~~thereup~~ [sic] the said prosecuting attorney

p. 123

Septr. Term 1834

doth the like, And thereupon here comes also into open court John Huntsman and the said William P. Brumley and the said John Huntsman each acknowledge themselves to owe and be indebted to the State of Indiana in the sum of two hundred dollars to be levied of their respective goods and chattels lands and tenements if default be made in the following condition which Condition is that the said William P. Brumley shall personally be and appear before the Judges of the Lagrange Circuit Court on the first day of the next term ~~of this~~ M [sic] of said Court and answer unto the State of Indiana in an indictment for forgery, abide the Judgment of the Court thereon and not depart therefrom without leave & this cause is continued

State of Indiana)
)
vs)
)
Otis Newton)

Indt. for trespass

Now comes into court Charles W. Ewing Esqr. specially appointed by the court to prosecute for the State in this behalf. And thereupon also comes into Court Otis Newton and Luther Newton and acknowledge themselves each to owe and be indebted to the State of Indiana in the sum of twenty five dollars to be levied of their respective goods and chattels lands and tenements if default be made in the Condition following towit: That the said Otis Newton shall personally be and appear before the Judges of the Lagrange Circuit Court on the first day of the next Term thereof to answer unto the State of Indiana on an Indictment for Malicious Trespass and not depart the court without leave thereof and abide the Judgment of the court thereon - and this cause is continued -

p. 124

September Term 1834

Moses J. Hill)
)
vs) Assumpsit
[sic])
Oliver Clossen) [sic]

And the Court adjourned until tomorrow morning at 9 Oclock

Signed 26th Septr. 1834 -

G. A. Evertt

Friday morning 26th Septr. 1834 the court met pursuant to adjournment present the same Judges as on yesterday

Thomas Gale)
)
vs) Debt
)
Geo. Kellogg)
)
Jona. Woodruff)

Now come the parties aforesaid and thereupon the defendant 6 [sic] Jonathan Woodruff withdraws his plea in abatement and the said plaintiff now files his declaration in this behalf in these words (here insert it) and this cause is continued by agreement of the parties

Thomas Gale)
)
vs) Debt
)
George Kellogg)
)
Jona. Woodruff)

Now come the parties aforesaid and thereupon the defendant Jonathan Woodruff withdraws his plea in abatement and the said plaintiff now files his declaration in this behalf in these words (here insert it) and this cause is continued by agreement of the parties

p. 125

Septr. Term 1834

Thomas Gale)
)
vs) Debt.
)
Jonathan Woodruff)

Now come the parties and the defendant withdraws his plea in abatement and thereupon the said plaintiff

files his declaration in these words (here insert it) and this cause by agreement of the parties is continued untill [sic] the next Term of this court -

Moses J. Hill)
)
vs) Assumpsit
)
Oliver Clossen)

Now at this time come the parties by counsel and after argument of counsel upon the said motion for a new trial being heard and deliberation thereon had by the court ~~It is considered there~~ [sic] said motion is by the court now overruled, and thereupon the said plaintiff by counsel move the court for a rendition of Judgment upon said verdict & finding of the Jury in this cause, which motion is granted. It is therefore considered and adjudged by the court now here that the said Moses J. Hill the plaintiff aforesaid do have & recover of & against the said Olliver [sic] Clossen the defendant aforesaid the sum of One Hundred and forty four dollars and sixty six cents for his damages by him sustained by reason of the non performance by the said Defendant of the said promises & undertakings in said second count of said Declaration above alledged [sic], to be done & performed by the said defendant, as also his costs & charges by him about the recovery thereof in this behalf paid laid out & expended & that said Defendant as to said first & third counts go hence hereof without day & the defendant in mercy &c

And now at this time comes into open court James Leveridge [sic] and acknowledges himself replevin Bail and security for the said Oliver Clossen on the Judgment aforesaid for the payment of the said sum of One hundred and forty four dollars and sixty six cents and interest

p. 126

Sept Term 1834

~~in~~ [sic] and the costs in said Judgment mentioned, in the accruing costs thereon within one hundred and Eighty days, next ensuing this date. Recived [sic] on the above Judgment fifty five dollars Moses J. Hill

John Crothers)
)
vs) Debt.
)
Wm. P. Bromley)

Now come the parties and on motion of the said defendant on affidavit filed this suit is continued until the next term at the costs of the defendant of the present term ~~of~~ [sic] the defendant to pay the same in 60 days or in default thereof an attachment to issue to compel their payment

Robert Hamilton)
)
vs) In Chancery
)
Lewis B. Judson) Bill to foreclose & Mortgage
)
Philip P. Mudget)

Now comes the complainant by his Counsel and files his bill and it appearing to the satisfaction of the

Court here (on affidavit filed) that the said defendants Lewis B. Judson and Philip P. Mudget are not residents of the State of Indiana. Whereupon it is ordered by the Court here that notice of the pendency of this suit be given to the said defendants by publication for three successive weeks in the Fort Wayne Sentinel a newspaper of general circulation in this county; which paper is printed and published at Fort Wayne in Allen County, Indiana, there being no newspaper printed in LaGrange County,) at least 60 days before the commencement of next term of this court there and there to plead answer or demur to the said complainant's bill or in default thereof that the said bill will be taken for confession against them and a decree will be thereon made in their absence against them and this cause is continued

p. 127

September Term 1834

Jacob Carr)
)
vs) Debt.
)
Hugh Allison) Now comes the parties by their attorneys and the court being sufficiently advised of and concerning the said demurrer to the said plaintiff's declaration. It is therefore considered by the Court here that the said declaration and matters therein contain [sic] are sufficient in law for the said plaintiff to have and maintain said action. Whereupon the plaintiff asked and obtained leave to amend his declaration Whereupon the said plaintiff files his declara-

tion as amended and this case is continued

John O'Ferrell)
)
vs) Covenant
)
Dudley Thorp)

Now comes the parties by their attorneys and the defendant filed his two several pleas in bar to the said plaintiffs declaration in these words (here insert) and thereupon the plaintiff filed his two several replication to the said pleas of the said defendant in these words (here insert) and the issue being thus joined between the parties. The Sheriff is commanded to bring into court here twelve good and lawfull [sic] men to try the issue joined between the parties, and thereupon the sheriff of said county as he is commanded brings in to Court here the following pannel [sic] of jurors to wit, Lemuel Fobes, James Gorthrup, John Jewett, John Anderson Junr, Nathaniel Callahan, Robert Johnson, Leonard Appleman, William Miller, Samuel Sidener, Datus Newton, David Hanson and John Kromer twelve good and lawful men and descret [sic] housholders [sic] of the county aforesaid who being elected tried and sworn the truth to speak on the issue joined between the parties brought into court the following verdict to wit, "We the jury find for the plaintiff and assess his damage at three dollars." It is therefore considered by the court here that the plaintiff aforesaid recover of the defendant aforesaid the sum of three dollars for his damages for the breaches

of the said covenant in the said declaration mentioned and his costs and charges in and about the prosecution of

p. 128 September Term A. D. 1834, 5th day

this suit laid out and expended to be taxed at dollars and cents and the defendant in mercy &c not paid

State of Indiana on the)
)
Relation of Archibald Scott) Information in the nature of
)
vs) Quo Warranto
)
Edmund Littlefield)

And now come the parties aforesaid and the court having sufficiently advised of and concerning the said demurrer it seems to the Court now here that the said information and the matters and things therein ~~pleaded and set forth~~ [sic] contained in manner & form is the same therein pleaded and set forth are not good and sufficient in law to oust the said Edmund Littlefield from the said office of Justice of the peace

It is therefore Considered by the Court now here that the said Edmund Littlefield as to said information do go hence without day and that he ~~do~~ [sic] recover against the said Archibald Scott the relator aforesaid his costs and charges in this behalf laid out and expended

John D. Defrees)
)
vs) Assumpsit
)
Joshua T. Hobbs)

Now comes the said defendant and moves the Court on affidavit filed to grant to said defendant an appeal in said cause from the Judgment and decision of Thomas Gale Esqr. the Justice of the peace before whom the same was tried which motion the Court sustain - And it is ordered by the court that the said Justice of the peace do within thirty days from this date file in the office of the clerk of this Court a transcript of the Judgment proceedings and papers in ~~this~~ [sic] said cause provided the said defendant do within such time file with such Justice a bond according to the statute in cases of appeals is provided & that said defendant give to said plaintiff notice of this appeal being taken

p. 129

Septr. Term 1834

Houlton L. Hughes)
)
vs) Assumpsit
)
Walker Carter & Co)

Now come the parties aforesaid and and [sic] on motion of the said ~~defen~~ [sic] plaintiff this cause is continued until next term at his own proper costs to be paid in sixty days or in default thereof an attachment to issue to compel their payment

Ordered by the Court that attachments issue against the following named person for contempts of Court towit -
Against William C. Porter directed to the sheriff of Allen

County for refusing to appear as a witness on the part of the plaintiffs in the cause of Holton L. Hughes against Walker Carter & Co. & that the sheriff ~~require~~ [sic] of said county require of said defendant a recognizance in the sum of ~~twenty~~ [sic] fifty dollars & surety in the like sum

Against Nehemiah Colden [sic] and Peter Pettit for contempt in refusing to appear and testify as witnesses in behalf of the State of Indiana ~~in a~~ [sic] against Otis Newton and like bail is required as in the above case of William Porter ~~It appearing to~~ [sic]

It appearing to the satisfaction of the Court that the following named persons were duly summoned by the sheriff on more than ten days vefore the first day of this term to appear before this court & serve as Grand and Pettit [sic] Jurors ~~towit~~ [sic] during the present term towit: Richard Stone, Valentine Ewing, ~~James Leeper~~ [sic], Gideon Langdon, William A. M"Neal Jr., George D. Palmeter grand Jury ~~John A. Powers~~ [sic], Hartwell Coleman, Ward Bradford, John Kyle, Isaiah Dungans[?], Henry Miller & Samuel Fish and the said persons being called failed to appear and ~~answer~~ [sic] serve as such Jurors it is ordered by the court that ~~said~~ [sic] writs of attachment do issue against the said delinquent Jurors requiring them to be and appear before this ~~said~~ [sic] Court on the first

day of the next term to answer unto the State of Indiana for a contempt of the process of this court in refusing to appear as aforesaid and that the sheriff require of said persons severally to enter into a recognizance in the sum of ten dollars without surety requir [sic] conditioned for such appearance

State of Indiana)
)
vs) Indt. for A. B.
)
Thomas Gale)

Now Comes Samuel C. Sample prosecuting the pleas of the State and the said defendant in his own proper person also Comes and for plea to the indictment aforesaid says he is guilty as he is therein charged - Whereupon the Court assess the defendants fine at the sum of two dollars - It is therefore considered by the court that the State of Indiana do recover against the said defendant the said sum of two dollars besides the costs of this prosecution - And thereupon here comes into open court John B. Howe and acknowledges himself replevin vail and security for the said defendant for the payment of said fine and costs acrued [sic] and accruing within the three months from this date

Recd my docket fee in the above cause

S. C. Sample P.A. 8 J.C.

State of Indiana)
)
vs) Recognizance forfeited
)
Garrett Vanantwerp)

Now comes ~~the-sa~~ [sic] Charles W. Ewing Esqr. special prosecuting attorney in this behalf and the said Garrett Vanantwerp being three times called and required to testify in discharge of his said recognizance comes not but makes default whereby the said recognizance has become forfeited and the said defendant is liable to pay the said sum of fifty dollars - It is therefore considered by the court now here that the said recognizance be forfeited and that the said State of Indiana do recover

p. 131 Septr. Term 1834

against the said Garrett Vanantwerp the said sum of fifty dollars besides the costs of this forfeiture and it is ordered by the court that ~~the-said-St~~ [sic] a Scire facias do issue against the said defendant requiring him to be and appear before this Court on the first day of the next term of this Court to shew cause if any he can why execution shall not issue against him to make the said sum of fifty dollars and costs aforesaid

State of Indiana)
)
vs) Recog. forfeited
)
Samuel Robinson)

Now comes Samuel C. Sample prosecuting attor-

ney and the said David Riley appearing in Court to answer the charge aforesaid ~~this~~ [sic] on motion of the said prosecuting attorney the forfeiture in this behalf heretofore taken is set aside at the said defendants costs - It is therefore considered by the court that the said ~~defend~~ [sic] State of Indiana do recover against the said defendant Samuel Robinson her costs in this behalf & that she have execution therefor

State of Indiana)
vs) Recognizance forfeited
David Riley)

Now comes as well Samuel C. Sample prosecuting attorney as the said defendant in person and the forfeiture heretofore taken in this behalf is ~~by~~ [sic] on motion of said prosecuting attorney set aside at the costs of the defendant - It is therefore considered by the Court that the ~~def~~ [sic] State of Indiana recover against the said defendant the costs in this behalf expended & that she have execution therefor

State of Indiana)
vs) Indt. for retailing
David Riley)

Samuel C. Sample prosecuting attorney

Septr. Term 1834

p. 132 comes and says he will no further prosecute the said indictment against the said defendant - It is therefore considered

by the court that the said defendant as to said indictment go hence without day -

It is ordered that all suits pleas plaints and prosecutions not otherwise disposed of are hereby ~~repeal~~ [sic] continued

A general rule is granted to take depositions as well within as without the State

And now comes into open Court ~~the~~ [sic] Luther Newton one of the associate Judges of this court and shows to the satisfaction of the Court that there is no probate ~~assee-Judges~~ [sic] Judge elected for this County, & that the probate business thereof is done by the associate Judges of this Circuit Court, and also that Thomas Allen aged about eleven years infant heir of Polly Allen deceased has an estate of the value of about two hundred and fifty dollars descended to him from the said Polly Allen his mother & that said Thomas has no guardian - And the said Luther Newton now moves the court to be appointed the guardian of the person and estate of the said Thomas Allen, the said Thomas being resident in this county, which motion the court sustain - Whereupon the said Luther Newton now in open court executes bond in the sum of five hundred dollars with Edmund Littlefield a free holder as his surety who is by the court approved - And thereupon the said Luther Newton is now in open court sworn to faithfully discharge the trusts of

his said guardianship in all things according to law and letters of guardianship are ordered to issue to said Luther Newton

And the court adjourned until tomorrow morning at nine Oclock - G. A. Everts

p. 133 Septr. Term 1834

Saturday morning 9 Oclock 27th September 1834 the court met pursuant to adjournment present Judges Everts -

Ordered that Judges Newton and Ephrain Seely be each allowed ten dollars for services as Judges of this court during the present term, and that David Stevenson be allowed four dollars & Jesse Harding be allowed five dollars for services as bailiffs during the present term

Ordered that an attachment issue against Garret Vanantwerp returnable to the next Term of this court for a contempt in purposely & willfully [sic] avoiding the process of this court and that he be required to give Bail to the sheriff in the sum of fifty Dollars with one sufficient security ~~conditioned~~ [sic] for his appearance at the next Term of this court & not departing thence without leave of the court.

And court adjourned till court in course

Signed September 27th.. 1834

G. A. Everts

p. 134

March Term 1835

At a Term of the Lagrange County circuit court began [sic] and held at the court house in the Village of Mongoquonong [sic] on Monday the twenty third day of March in the year 1835 Present the Hon Hustavus A. Everts Present Judge of the Eighth Judicial Circuit of the State of Indiana and Luther Newton & Ephraim Seely Esquires associare Judges of the Lagrange circuit court also Present Daniel Harding Shiriff [sic] of said county and Joshua T. Hobbs clerk of said court.

Daniel Harding Sheriff of Lagrange county now brings into court the following pannel [sic] of Grand Jurors to wit Jonathan Woodruff who is by the court appointed foreman and sworn as such Jacob Vandeventer Aron Carey William McConnell Samuel Hall Obed Ganes Jacob Gage Calvin Chase Amasa Norton Edward Griswold John M. Brown Isaac Tibbetts Joseph Bradford and William Caldwell fourteen in number and no more of the persons named in the venirie [sic] heretofore to him directed answering to their names when called the said Sheriff by order of the court now summons and places in the pannel [sic] the following named persons bystanders to wit George Egnew & Samuel A. Howard who with the aforesaid fourteen make sixreen in number good and lawful men of the county of Lagrange who being impannelled [sic] sworn and charged in the said circuit court, to enquire within and for the body of the said county of Lagrange retired to their room to deliberate under the charge of David Stevenson a Sworn officer of this

court

Thomas Gale one of the regular pannel [sic] of grand Jurors is challenged for cause by Micajah Harding who appears under recognizance - and the said Gale being the Justice of the Peace before whom the said Harding was recognized is by the court excused

William Fish is by the court excused from ~~ser~~ [sic] serving as Petit Juror during the present Term

p. 135

March Term 1835 -

State of Indiana)
)
vs) Attachment for contempt -
)
Samuel Fish)

Now at this [time] come the said parties and the court having herd [sic] the excuse of the said defendant, order that he be discharged and go hence without day -

State of Indiana)
)
vs) Attachment for contempt
)
Nehemiah Coldren)

Now at this time comes the said parties and the said defendant being put upon his oath to purge himself of the contempt aforesaid Whereupon the court having herd [sic] the excuse of the said defendant - order that he be discharged for the contempt aforesaid and go hence without day

State of Indiana)
)
vs) Attachment for contempt -
)
Ward Bradford)

Now at this time comes the said parties and the said defendant being put upon oath to purge himself of the contempt aforesaid Whereupon the court having herd [sic] the excuse of the said defendant, order that he be discharged as to said contempt.

State of Indiana)
)
vs) Attachment for contempt
)
Richard Stone)

Now at this time comes the Said parties and the court having put the said defendant upon his oath to purge himself of the contempt aforesaid order that he be discharged as to said contempt

p. 136

March Term 1835

State of Indiana)
)
vs) Attachment for contempt
)
George D. Parmenter)

Now at this time comes the said parties and the said defendant being put upon oath to purge himself of the contempt aforesaid, Whereupon the court having herd [sic] the excuse of the said defendant order that as to said contempt he be discharged and go hence without day -

State of Indiana)
)
vs) Attachment for contempt
)
Gideon Langdon[?])

Now at this time comes the said parties and the said defendant being put upon his oath to purge himself of the contempt aforesaid, Whereupon the court having herd [sic] the excuse of the said defendant order that he be discharged from said contempt -

State of Indiana)
)
vs) Attachment for contempt
)
Hartwell Coleman)

Now at this time comes the said parties and the said defendant being put upon oath to purge himself of the contempt aforesaid Whereupon the court having herd [sic] the excuse of the said defendant order that he be discharged from said contempt -

On motion of Thomas Johnson O. C. Ward is admitted as Attorney and counsellor at law at the bar of this court for the present Term -

On motion of J. A. Liston Ebenezer M. Chamberlain is admitted Attorney & Counsellor at law at the bar of this court and is sworn as such -

p.
137

March Term 1835

State of Indiana)
)
vs)
)
Jacob Miller)

Indictment for Affray

Rec'd my Docket fee S. C. Sample P.A.

Now at this time comes Samuel C. Sample Esquire prosecuting the pleas of the State of Indiana in this behalf and the said Jacob Miller one of the said defendants in his own proper person also comes - And it being forthwith demanded of him how he will acquit himself of the offence [sic] charged in said Indictment for plea or answer thereto says that he cannot gainsay or deny that he is guilty in manner and form as he stands Indicted - Whereupon the court assess his fine at two dollars - It is therefore considered by the court that the said State of Indiana do recover against the said Jacob Miller the sum of two dollars as above assessed besides her costs & charges in this behalf laid out and expended and the defendant in mercy - &c - and that he stand committed in the custody of the Sheriff untill [sic] said fine is paid or replevied

State of Indiana)
)
vs)
)
Henry Wilcox)

Rec'd my docket fee $2.00
On Indictment for Affray
S. C. Sample P.A.

Now at this time comes Samuel C. Sample Esquire prosecuting the pleas of the State of Indiana in this behalf and Henry Wilson one of the the said defendant [sic]

in his own proper person also comes - and for plea or answer thereto says that he is guilty in manner and form as he stands indicted. Whereupon the court assess his fine at the sum of two dollars It is therefore considered by the court that the State of Indiana do recover against the said defendant the sum of two dollars besides her costs and charges in this behalf expended and that he stand committed into the custody of the Sheriff until said fine is paid or replevied - Thereupon comes into open court John Stayner and acknowledged himself replevin bail and security for the said defendant for the payment of the said fine and costs and costs to accrue within three months - -

p. 138

March Term A. D. 1835

And court adjourned until tomorrow morning nine Oclock.

Signed March 24th 1835.

G. A. Everts

Tuesday morning 9 O'Clock March 24th 1835 the Court met pursuant to adjournment. present the same Judges and officers as yesterday and the court was opened in due form of Law

State of Indiana)
)
vs) Indictment for an Assault & Battery
)
Joel Leverich)

And now at this day here comes Samuel C. Sample Esqr. the Attorney prosecuting the pleas of the State

of Indiana and the said Joel Leverich in his own proper person comes also, and being arraigned upon the indictment aforesaid, and it being demanded of him how he will acquit himself of the charges therein contained and set forth against him and for plea thereto says that he is not guilty and a jury being waived by the said defendant, and for trial thereof the said parties submit this case to the summary decision of the court. and after hearing the evidence, and arguments of Counsel and after mature deliberation it is considered by the Court that the said defendant is not guilty in nammer and form as he stands charged in said Indictment. it is therefore considered by the Court that the said defendant be discharged from said

p. 139

March Term 1835

Indictment and that he go hence acquit thereof without day

State of Indiana)
)
vs) Indictment for Riot
)
Henry E. Switzer)
)
Ira Leverich)
)
Joel Leverich)

And now at this day come the said defendants in their own proper persons and Samuel C. Sample Esqr the Attorney prosecuting the pleas of the State of Indiana comes also, and the the [sic] said prosecuting Attorney now says and informs the Court that he will no further prosecute

the said Indictment but that the same may be set aside and held for nought. it is therefore Considered by the Court that the said defendants as to the said Indictment ~~and the charges therein~~ [sic] go hence ~~aequit~~ [sic] thereof without day & the defendants in mercy &c

State of Indiana)
)
[sic] vs) Indictment for an Affra [sic]
)
Jacob Miller and) [sic]
)
Henry Wilcox)

Joshua Pennur)
)
vs) Case on Statute -
)
William Gale) Now comes the parties and on motion of plaintiff a rule is granted against the said defendant to plead on tomorrow morning

p. 140 March Term A. D. 1835

Jacob Carr)
)
vs) Debt on Bond
)
Hugh Allison)

And now at this day here comes the parties by their counsel and a rule is granted against the said defendant to plead ~~issuably~~ [sic] on or before tomorrow morning and day is given the parties

Thomas Gale)
)
vs) Debt
)
Jonathan Woodruff)
)
George Kellogg)

And now at this day here comes the said parties by their Counsel and a rule is granted against the said defendants to plead ~~issuably~~ [sic] on or before tomorrow morning and day is given the parties

Thomas Gale)
)
vs) Debt
)
Jonathan Woodruff)

And now at this day here comes the said parties by their Counsel and a rule is granted against the said defendant to plead ~~issuably~~ [sic] on or before the next calling of the cause and day is given the parties

p. 141 March Term A. D. 1835

Thomas Gale)
)
vs) Debt
)
Jonathan Woodruff)
)
George Kellogg)

And now at this day here comes the parties by their Counsel and a rule is granted against the said defendants to plead ~~issuably~~ [sic] or or before tomorrow morning and day is given the parties

John O'Ferrell)
)
vs) Covenant
)
Dudley Thorp)

And now at this day here comes the parties by their Counsel and ~~and~~ [sic] the said plaintiff now dismisses his said suit. it is therefore considered by the court that the said defendant do recover against the said plaintiff his costs of suit in this behalf laid out and expended, &c

William Gale)
)
vs) Case on appeal
)
Joshua Pennell)

And now at this day here comes the said parties by their Counsel and this cause is continued until the next Term, ~~at the costs~~ [sic] of this Court at the costs of the said defendant and day is given the parties. And it is ordered by the Court that the said defendant do pay the costs of this continuance within sixty days or that an attachment do issue against him

p. March Term A. D. 1835
142

to compell [sic] the payment of the same

John Cruthers)
)
vs) Appeal
)
William P. Bromley &)
)
James Leverich)

And now at this day here comes the said parties by their counsel and by agreement this cause is dismissed at the defendants costs, it is therefore considered by the court that the said plaintiff do recover against the said defendants his costs and charges in this suit laid out and expended

Ica F. Rice)
)
vs) debt on promissory note
[sic])
Moses J. Hill &) [sic]
)
Lester Wallis)

And Court adjourned until tomorrow morning at 9 O'clock

Gustavus A. Everts

p. 143 Wednesday March ~~Term~~ [sic] 25th 1835 - court met pursuant to adjourned Present The same Judges and officers of the Court as on yesterday

Ica F. Rice)
)
vs) debt on promissory note -
)
Lester Wallis &)
)
Moses J. Hill)

Now at this time comes the plaintiff by his counsel and the Sheriff returns the process in this behalf served on the said Lester Wallis for more than ten days before the commencement of this Term, and not found as to the

said Moses J. Hill and thereupon the said Lester Wallis being three times solemnly called & required to defend the action aforesaid comes not but herein makes default. Whereby the said plaintiffs action remains wholy [sic] undefended It is therefore considered by the court that the said plaintiff do recover against the said defendant the sum of one hundred and fifty dollars in debt besides the sum of eleven dollars and twenty five cents as in said notice specified in damages, making together the sum of one hundred and sixty one dollars and seventy five cents, as also his costs and charges in this behalf laid out and expended -

For value received I. assign the above Judgment to Thomas Gale Witness my hand and Seal this 15th June 1835

Ica F. Rice

Peter Beisel)
)
vs) Debt.
)
Henry E. Switzer)
)
Lewis Stevenson)

Now at this time comes the parties and by agreement this cause is dismissed at the costs of the defendants. It is therefore considered by the court now here that the said plaintiff do recover against the said defendants his costs and charges in this behalf laid out and expended -

Recd July 2nd 1835. my docket fees on the above case

John B. Howe

Atty for pltf.

p.
144

March Term 1835. -

Dudley Thorp)
)
vs) on appeal
)
Luke Norris)

Now at this time comes the said parties by their counsel and it appearing to the court that said appeal was dismissed at the last Term of this court, but omitted by the clerk to be entered on the records of this court at time of said dismissal It is therefore considered by the court now here that said ~~emitt~~ [sic] appeal be dismissed at the costs of said defendant, and that the said plaintiff do recover against the said defendant his costs and charges in this behalf laid out and expended

Houlton L. Hughs)
)
vs)
) Assumpsit
Walker, Carter & Co.)

Now at this time comes the said parties by counsel and thereupon the plaintiffs withdraw the replication in this behalf ~~and~~ [sic] and the defendants amends his said plea & the plaintiff files an amended replication thereto in these words (here insert it), and day is given the parties - Judge Everts having been counsel for said pltfs left the bench during the presiding of said court -

George Ednew)
)
vs) Trover on Appeal -
)
Dudley Thorp)

Now at this time comes the said parties and by agreement thereof this cause is dismissed at the cost of said defendant - It is therefore considered by the court that the said plaintiff do recover against the said defendant his costs and charges in this behalf laid out and expended - -

The Grand Jury now comes into court and return Sundry bills of Indictment, signed by their foreman as true bills and having further business before them return to their room to deliberate thereon

p 145 March Term 1835

Daniel Davis)
)
vs) Attachment on Appeal
)
Timothy R. Wallis)

Now at this time comes the parties and by agreement this cause is dismissed by each party paying his cost respectively It is therefore ordered by the court that each party pay their respective costs within sixty days or in default thereof that an attachment issue

State of Indiana)
)
vs) Indictment for Assault & Battery
)
Ira Leverich)

Now at this time comes Samuel C. Sample Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes, and for plea or answer ~~there~~ [sic] to said indictment says that he is not guilty in manner and form as he therein stands charged - and for trial thereof he puts himself upon the country and the said prosecutor Doth the like - & thereupon here comes a Jury to try the issue Joined aforesaid to wit Frederick Hamilton Jacob Sidener William Enoch Thomas Lock David McCoy John Ewing Adam Engle Joseph Foos William Seyborn Laban Parks Harvey Olmsred & John Stayner twelve good and lawful men of the county of Lagrange aforesaid, who being duly elected tried and sworn the truth to Say upon the issue Joined aforesaid, upon there [sic] oath aforesaid do find and say "We the Jury find and say that the defendant is not guilty - It is therefore considered by the court that the said defendant as to said indictment and offence go hence without day -

p. 146 March Term 1835

Jacob Carr)
)
vs) debt on bond
)
Hugh Allison)

Received the within Judgment in full November 16th 1835 Thomas Gale

Now at this time comes the parties and the defendant in discharge of a rule heretofore taken against him in this behalf files his demurrer to the said plaintiffs declaration in these words (he [sic]) insert it) and thereupon the plaintiff files his Joinder to said demurrer in these words (here insert it) and the court having heard the argument of counsel take the said demurrer under advisement & day is given

Thomas Gale)
)
vs) Debt $100 -
) Dam. 50 -
George Kellogg)
)
Jona. Woodruff)

Thomas Gale)
)
vs) Debt $909.92
) Dam. 200.00
George Kellogg)
)
Jonathan Woodruff)

Now come the parties to the above actions by their counsel and thereupon the said defendants move the Court to consolidate the said actions which motion the court sustain and the said actions are consolidated into one action - And thereupon the said defendants having failed to plead in discharge of the rule heretofore taken in this behalf whereby the said plaintiff's action aforesaid remains undefended - It is therefore Considered by the court that the said plaintiff do recover against the said defendants the sum of ~~ten~~ [sic]

nine hundred and nine dollars and ninety two cents in debt ~~being-the-amount-of-sums~~ [sic] in the said declarations specified and set forth vesides the sum of ~~thirty-three~~ [sic] fifty dollars ~~and-fifty-cents~~ [sic] in damages for the detention thereof making in all

p. 147

March Term 1835

the sum of ~~ten~~ [sic] nine hundred and ~~forty-three~~ [sic] fifty nine dollars and ~~forty-~~ [sic] two cents besides the costs and charges in this behalf expended - The above Judgment is Credited with the sum of One hundred and five dollars - [sic] Thereupon appears before me the Clerk of the Lagrange circuit court George McElvain & Solomon Griswold and acknowledge themselves replevin bail and Security for the said defendant for the payment of the Said debt damages and costs ~~aeknew~~ [sic] accrued and to accrue within one hundred and eight days from the rendition thereof -

March 26th 1835 J. F. Hobbs Clk

James Frier)
)
vs) Foreign Attachment
)
H. M. Pair)

Now at this time comes the plaintiff by Neal M^cGaffey his attorney and says that he will no further prosecute his suit in this behalf It is therefore considered by the court that said suit be dismissed & that the said plaintiff pay the costs of this prosecution within sixty days or

in default thereof that an attachment issue

State of Indiana)
)
vs) Indictment for forgery
)
William P. Bromley)

Now at this time comes Charles W. Ewing ~~& Jonathan A. Sexton~~ [sic] Specially appointed gy the court to prosecute the pleas of the State of Indiana in this behalf, and on affidavit filed moves the court to continue this cause which motion is by the court sustained -

Joshua Pennel)
)
vs) Case on Statute -
)
William Gale) Now at this time comes the parties and thereupon the defendant in discharge of a rule heretofore taken against him in this behalf ~~and~~ [sic] now files his demurrur [sic] to said plaintiffs declaration in these words (here insert it) and thereupon the said plaintiff files his Joinder in demurrur in these words (here insert it) - And day is given the parties -

p. 148 March Term A. D. 1835

Robert Hamilton)
)
vs) In Chancery
)
Lewis B. Judson)
)
Philip P. Mudget)

Now comes the complainant by his solici-

tor and proved by the satisfaction of the court here, that the notice of the pendency of this suit had been duly made to the said defendants by the publication of the same three weeks in succession in the Fort Wayne Sentinel a Newspaper printed and published in Fort Wayne in the County of Allen and State of Indiana sixty days before the commencement of the present term of this Court. Wherefor [sic] the Court here on motion of the said complainant ordered adjudged and decreed that the said bill be taken ~~pro-confessed~~ [sic] as for confessed to be true against the said defendants and day is given &c -

G. A. Everts

March Term 1835 Thursday March 26th

The court now met pursuant to adjournment present the same Judges and officers of the court as on yesteray -

State of Indiana)
)
vs) Indictment for Assault & Battery
)
Kensel Kent)

Now at this time comes Samuel C. Sample Esqr prosecuting the pleas of the State of Indiana in this behalf and the said defendant - in his own proper person also comes and for plea or answer to said indictment say s he is not guilty in manner and form as he therein stands charged and for trial thereof he puts himself upon the country -

p. 149

March Term 1835 -

And the said prosecutor doth the like thereupon by agreement ~~by-agreement~~ [sic] of the parties this cause is submitted for trial to the summary decisions of the court. And the court after hearing the proofs and allegations of the parties - find that the defendant is not guilty - It is therefore considered by the court that the said defendant as to said indictment and offence [sic] go hence without day

Joshua Pennel)
)
vs) Case on Statute -
)
William Gale)

Now at this time comes the parties aforesaid and the court after hearing the arguments of counsel on the demurrur aforesaid considers that the matters and things in said plaintiff's declaration mentioned and set forth, are insufficient in law to have and maintain his aforesaid action in this behalf - thereupon the said plaintiff withdraws his Joinder in demurrer in this behalf, and amends his declaration - Whereupon the plaintiff now files his plea in these words (here insert it) and the issue between the parties in this behalf being joined here comes a Jury to try the same towit: Frederick Hamilton, Jacob Sidener, William Leverich, Thomas Lock, Adam Engle, Jesse Champlain, John B. Clark, Joseph Foos, William Sayburn, Laban Parks, Harvey Olmsted, & John Stayners - twelve good and lawful men of the county aforesaid

who are elected tried and sworn the truth to say upon the issue Joined as aforesaid having heard a part of the evidence the said plaintiff now withdraws a Juror and suffers a nonsuit - It is therefore considered by the court now here that said plaintiff take nothing by his said writ and that the said defendant do recover against the said plaintiff his costs and charges in this behalf expended -

p. 150 And Court adjourned till tomorrow morning nine Oclock.

Signed March 27th 1835 G. A. Everts.

The court met pursuant to adjournment present the Judges and officers of the court as on yesterday

Lewis B. Judson)
)
vs) debt on appeal
)
Lester Wallis)

Now at this time comes the parties and thereupon a Jury was called ~~which-being~~ [sic] towit: John B. Clark, Frederick Hamilton, Jesse Champlin, W.m Seyburn Joseph Foos Jacob Sidener David McCoy Adam Engle Laban Parks Thomas Lock W.m Enoch & Harvey Olmsted twelve good and lawful men of Lagrange County who being duly Elected tried and Sworn the truth to say upon the issue Joined aforesaid upon their oath aforesaid do find for plaintiff nine dollars and fifty cents in debt - It is therefore considered by the court that the said plaintiff do recover against the said defendant

the said sum of nine dollars and fifty cents besides the costs of suit in this behalf laid out and expended

Reciev^{d} [sic] July 2nd 1835

the am^{t} of the above Judgm^{t} & docket fee in full

John B. Howe

Atty for pltf.

Houlton & Hughes)
)
vs) Assumpsit
)
Walker, Carter & C^{o})

Now come the defendants by their attorneys and filed their rejoinder to the replication of the said plaintiffs to the second plea of the said defendants which said rejoinder is in these words (here insert) and issue being joined by the parties on the replication and rejoinder of Nul tiel record and after argument of counsel being had and the court having inspected an exemplification of the said supposed record in said second plea alleged, do say that it is considered by the court now here that ~~that~~ [sic] there ~~there~~ [sic] is no such record remaining in said court of Common Pleas of said Williams County in the State of Ohio as the said defendants ~~as the said defendants~~ [sic] in their said second plea have alleged

p. 151 March Term A. D. 1835 fifth day

It is therefore considered by the Court here that the said plaintiffs recover of the said defendants their costs

and charges in and about the said replication expended and the defendants in Mercy &co but as there is another issue in this case not yet determined let the final judgment of the court be stayed &co and the defendants now take ~~to~~ [sic] their bill of exceptions to the opinion of the court and filed the same in these words (here insert). And the president Judge having been employed as Counsel for the said plaintiffs previous to his having been elected Judge of this court declined sitting as Judge in this case.

On motion of Henry Cooper John B. Howe Esqr is appointed Master in Chancery for the County of Lagrange

James Leverich	)	
	)	
vs	)	Bill in Chancery
	)	
Susan Switzer	)	
	)	
Charles Switzer	)	
	)	
et al hairs [sic] at law	)	
	)	
of Lewis Sweitzer	)	

Now here come the parties aforesaid and thereupon Henry Cooper Esqr. an attorney at law at the bar of this court is by the court appointed to prepare the answer of Susan Sweitzer the guardian ad litam [sic] of the said heirs of the said Lewis Sweitzer And thereupon the said Susan Sweitzer Sweitzer [sic] now files her answer to said bill as well on her own behalf as the guardian as afore-

said of the said heirs of the said Lewis Sweitzer which said answer is prepared by ~~by~~ [sic] the said Henry Cooper appointed for that purpose as aforesaid (here insert the answer) and a rule is granted to take depositions & day is given

p. 152

March Term 1835

John Cromer)
)
vs) Trespass on appeal
)
Joshua T. Hobbs)

Now at this time comes the parties and thereupon this cause by agreement of the parties is submitted [for] trial to the summary decision of the court, and the court after hearing the prooffs [sic] and allegations of the parties and the arguments of counsel do say & find the defendant guilty and assess the plaintiff damages at $7.00. It is therefore considered by the court that the said plaintiff do recover against the said defendant the sum of seven dollars ~~besides~~ [sic] as also the costs of suit in this behalf by him said plaintiff laid out and expended

Thomas Gale)
)
vs) Debt [sic]
)
Jonathan Woodruff)

The parties come in person and ~~the defendant files his plea in this behalf in these words (here insert it) and the said defendant now files said plaintiff~~ [sic]

now files his replication in these words (here insert it) And thereupon the said parties by agreement now submit their issue to the summary decision of the court [sic] Whereupon the said court having heard the evidence of the parties now find for the plaintiff the sum of forty five dollars and fifty six cents in debt - Whereupon it is considered by the court [sic] that said ~~defendant~~ [sic] plaintiff recover against the said defendant the sum of forty five dollars and fifty six cents [sic] in Debt as by the court above is found besides the costs in this behalf expended

The grand Jury now comes into court and returns Sundry bills of indictment. Signed true bills by their foreman. also the following Report of the condition of the county Jail - To wit

p. 153

March

Thomas Gale)
)
vs) Rec[d] $250 my docket fee
)
Jonathan Woodruff) Gamble & Cooper pltfs Atty

The parties come ~~in-person~~ [sic] and thereupon the said defendant in his own proper person in open court confesses Judgment to said plaintiff for the sum of forty five dollars and fifty six cents [?] parcel of the said sum in said declaration specified It is therefore considered by the court now here that the said plaintiff recover against

Recievd [sic] The within in full
Nov 16th 1835 Thomas Gale

the said defendant the sum of forty five dollars and fifty six cents as above confessed vesides the costs in this behalf expended -

And thereupon here comes into open court Francis F. Jewitt and acknowledges himself replevin bail and security for the payment of the said Judgment and costs in one hundred and fifty days from the date hereof

Receivd $46.92 cts in full of the above Judgment
Sept 21st 1835 J. F. Hobbs Clk

State of Indiana)
)
vs) Indictment for Nuissance [sic]
)
Daniel Fox)

Personally appears in open court Daniel Fox and Gruber [?] McElvain and acknowledges themselves to owe and be indebted unto the State of Indiana in the sum of One hundred dollars each to be levied of their respective goods and chattles [sic] lands and tenements if default be made in the following condition to wit which condition is that the said Daniel Fox shall be and appear before the Judges of the Lagrange circuit court on the first day of the next Term thereof, To answer unto the State of Indiana on an indictment for Nuissance [sic] and abide the order of the court and not depart without leave thereof Then this recognizance to be void otherwise to remain in full force in law

p. 154

March Term 1835

State of Indiana)
)
vs) Indictment for Malicious Trespass
)
Micajah Harding)

Personally appeared in open court Micajah Harding Jr. and Micajah Harding Senior, and each acknowledged themselves ~~replevin-bail-and-security-for-the-Judgment~~ [sic] to owe and be indebted unto the State of Indiana in the sum of one hundred dollars to be levied of their respective goods and chattles [sic] lands and tenements if default be made in the following Condition to wit which condition is that if the above bound Micajah Harding Junior shall be and appear before the Judges of the Lagrange Circuit court on the first day of the next term to answer unto the State of Indiana on an indictment for Malicious Truspass [sic], and not depart the court without leave thereof then this recognizance to be void and of no affect [sic] - otherwise to remain in full force and virtue in law

James Leverich)
)
vs) Bill in Chancery
)
Susan Sweitzer)
)
Charles Sweitzer)
)
Ann Sweitzer)
)
Lewis Sweitzer)

Now here Comes the parties aforesaid

and thereupon ~~the said~~ [sic] on motion of the said Complainant the depositions taken in behalf of the said Complainant are published - And thereupon this cause is set down for hearing upon the bill & answer and depositions - And the court now here having seen the matters and things in the said ~~dep~~ [sic] bill and answers set forth and the depositions on file and having heard the argument of Counsel make

p. 155

March Term 1835

the following order and decree in the premises in this behalf towit: It is ordered adjudged and decreed by the Court now here that the said Lewis Sweitzer ~~during~~ [sic] deceased held a moiety of the said tract of land in said bill of complaint mentioned as a trustee for the said Complainant, that the said complainant furnished the purchase money therefor and that said complainant is equitably entitled to hold and enjoy in fee the said moiety of said land of which the said Lewis Sweitzer was seized in his life time & of which his said heirs at law are now seized - And it is further ordered and decreed by the Court that Samuel C. Sample ------ be and he is hereby appointed a commissioner to prepare execute and deliver to said James Leverich a deed Conveying in fee simple all the right title interest claim and demand of the said Charles Sweitzer - Ann Sweitzer and Lewis H. Sweitzer the infant & only heirs at law of the said Lewis Sweitzer deceased of in and to the said North East fractional quarter of Section number twenty one township number thirty eight of Range number

ten Containing One hundred and fifteen acres and one half of an acre --~~And~~- [sic] and that said commissioner make report of his doings in this behalf accom~~panying~~ [sic] panied by said deed to this ~~deed~~ [sic] court on the first day of the next term of this court ~~and this cause is continued~~ [sic] & it is further ordered that the said decree shall be final as to said heirs unless they shall within One year after they shall resectively attain their age of twenty one years appear in this court and open said decree & individually answer said bill

Robert Hamilton)
)
vs) In Chancery
)
Lewis B. Judson &) Now comes the plaintiff by his solicitor
)
Philip P. Mudget) and proved to the satisfaction of the court here that the said defendants have signed sealed and delivered to the plaintiff the said deed of mortgage named and discribed [sic] in said bill

p. 156 March Term A. D. 1835 Fifth day

And refered [sic] to in exhibit marked §A§ and it also appearing to the satisfaction of the court now here, that at the time of the execution of said deed of Mortgage is [sic] exhibited marked §A§ refered [sic] to, that it was the intention of the said parties that the said deed of Mortgage should be a deed in fee simple of the land therein described, and it also having been proved to the satisfaction of the

court now here that the said defendants had made executed and delivered to the said plaintiffs the said two promissory notes in said bill mentioned & described and set forth, And the court here having seen and inspected the said bill of complaint and the said Mortgage and the said promissory notes, and after due deliberation being had thereon do make the following order and decree in the premises, to wit.

The court now here do find adjudge and decree that the said Lewis B. Judson and the said Philip P. Mudget the defendants in this case by their mortgage bearing date the 3rd day of July in the year A. D. 1833 intended to Mortgage in fee simple to the said complainant the East half of the South East Quarter of section of Land Numbered twenty six of Township Numbered Thirty eight North of Range Numbered Nine East supposed to contain eighty acres, also the undivided half of the West half of the South West Quarter of section of land Numbered twenty five, in Township Numbered Thirty eight North of Range Numbered nine East supposed to contain forty acres both of which said tracts of land are situated lying and being in the County of Lagrange and State of Indiana and that said Mortgage was given from the said defendants to secure the said Sums of Money advanced by the said complainant to the said defendants in said promissory notes specified And the court here do further find that the two several sums of money in said promissory notes specified with interest thereon still remain due and wholly unpaid from the said defendants to the said complain-

ant. And the court here do further order adjudge and decree that the said defendants within twenty days from this date do pay unto the said Robert Hamilton the complainant the said sum

p. 157 March Term A. D. 1835 Fifth day

of four hundred and twenty eight dollars being the sum due to the said complainant by virtue of the two said promissory notes in said bill specified with interest thereon at the rate of six per cent from the twelfth day of Septemver in the year eighteen hundred and thirty three, or in default thereof that the sheriff of this County after giving twenty days notice by advertizing the same in in [sic] three of the most public places in the Township where the said land is situated, as well as to advertise the same for three successive weeks in the Fort Wayne Sentinel a public newspaper printed and published in Fort Wayne in the County of Allen and State of Indiana a paper of general circulation in the County of Lagrange (there being no newspaper printed and published in Lagrange County) the time and place of selling said land to be according to the form of rhe Statute in such case made and provided, and that said land or so much thereof as shall pay the deft & costs be sold by said sheriff at public outcry at the court house door of said County to the highest bidder, to wit, the East half of the South East Quarter of section Numbered twenty six, of township numbered thirty eight North of Range Numbered Nine East, supposing to contain eighty acres of land, also the un-

divided half of the west quarter of Quarter of section Numbered twenty five of Township numbered thirty eight North of Range Numbered nine East supposed to contain forty acres of land, and that the proceeds thereof after deducting the costs of this suit and the costs of sale he will pay over to the said complainant, Robert Hamilton in discharge of the said sum of four hundred and twenty eight dollars and interest thereon, and [sic] if the proceeds shall amount to so much, and in case the proceeds thereof shall exceed the amount of said sums & interest and costs of this suit and costs of this sale then the sheriff shall pay the overpluss [sic] thereof to the said defendants and it is further ordered and decreed by the court here that the said complainant recover of the said defendants his costs and charges in the prosecution of this suit expended &c

p. 158

March term 1835

The Grand Jury now come into court and return sundry bills of indictment found by them as true bills & also a report of the prison which are filed and as [sic] having no further business they are discharged

The Pettit [sic] Jury are discharged

State of Indiana) Rec[d] $5. my docket fees in this case
)
vs) Indt. for vend for. Mer.
)
Jonathan Woodruff) S. C. Sample P.A.
)
George Kellogg)

Now comes as well Samuel C. Sample prosecuting the pleas of the State as the said Jonathan Woodruff and George Kellogg in their own proper persons and being arraigned upon the indictment aforesaid for plea thereto they say they are severally guilty as charged therein whereupon the court assess the said defendants fines at the sum of fifty cents each - It is therefore considered by the court that the said State of Indiana do recover against the said defendant Jonathan Woodruff the said sum of fifty cents and the costs of prosecution and also that she recover against the said defendant George Kellogg the sum of fifty cents besides the costs of prosecution & that the said defendants severally stand committed to the custody of the sheriff until their several fines and costs are paid or replevied

Rec[d] the above fine & cost in full J. T. Hobbs Clk

State of Indiana)
)
vs) Indt. for Selling liquor to Intox. persons
)
Arthur Burrows) Rec[d] $2.50 my Docket fee S. C. Sample P.A.

Now comes as well Samuel C. Sample prosecuting the pleas of the State as the said defendant in his

own proper person who being arraigned upon the said indictment for plea thereto he says he is guilty - It is therefore consid

p. 159 March Term 1835

ered by the court that the said defendant do make his fine to the State of Indiana in the sum of two ------- dollars and pay the costs of this prosecution and stand committed to the custody of the sheriff until the said fine and costs are paid or replevied - & Whereupon James Leverich in open court acknowledges himself bail & security for said fine and costs for the stay of execution for the term of three months

State of Indiana)
)
vs) Ind. for ret to Intox persons
)
Arthur Burrows)

Now at this time comes the [said] Samuel C. Sample Esquire prosecuting the pleas of the State of Indiana in this behalf and says he will no further prosecute the said indictment against the said defendant It is therefore considered by the court that said defendant as to said indictment go hence without day -

It is ordered that all suits plaints pleas and prosecutions not otherwise disposed are hereby continued

A general rule is grant [sic] to take depositions as

sell without as within the state

Ordered that writs of Capias ad respondendum do issue against all persons indicted ~~unto~~ [sic] at the present term and that in larceny the defendant enter into recognizanee in the sum of $100- with surety in the like sum And in all other cases in the sum of $25.00 with surety in the like sum

Allowed Luther Newton & Ephraim Seely ten dollars each for five days services as associate Judges - and David Stephenson & Jesse Harding each five dollars for services as bailiffs at this term

p. 160 State of Indiana)
)
vs)
)
Joel Leverich) Personally appeared in open court Joel Leverich and James Leverich and each acknowledged themselves to owe and be indebted unto the State of Indiana in the sum of Seventy five dollars to be levied of ther [sic] respective goods and chattles [sic] lands ands [sic] and tenements if default be made in the following condition to wit which condition is that the above bound Joel Leverich shall be and appear before the Judges of the Lagrange circuit court on the first day of the next term to answer unto the State of Indiana on three several indictments for Assault and Battery and abide the order of the court and not depart without leave thereof then this recognizance to be void,

otherwise to remain in full force and virtue in law

And the Court adjourned until Court in course
Signed March 28th 1835.

Gustavus A. Everts.

p. 161 List of Grand and petit Jurors selected and drawn at the May Session of the Board of County Commissioners to wit in the year of our Lord 1835

Grand Jurors for the first Term
John Carl, Aaron S. Cary Daffeild [?[Bradford John Burnside Ezekeil [sic] Miller Datus Newton M. M. Curtis John Jewitt James Caldwell Thomas Neff George McElvain Jacob Butts Moses J. Hill Abraham Gage Jr Kensie [sic] Kent Samuel Burnside Thomas Gale Hufh Allison
And for the Second Term the following persons- to wit, James Gorthorp Semuel Fobes Samuel Cory John Cummons Almon Lawrence Isaac Cavin Otis Newton Nathan Brown Nehemiah Coldren William Miller John Miller John Gardner Robert Hamilton Henry Fullwiders [?] Burt Jewett Robert Latta Edward Smith Jacob Croy

Also the following named persons to serve as petit Jurors to wit
for the first Term Isaac McDevitt William Demsey Joel Leverich Nathan[1] Callahan Dimick Harding Benjamin Jones

James McConnell John Hostetler William Thrall Adam Thurston Ira Leverick Jacov Miller John Morrow Wiseman Ford Jonathan Gardner James Morrow John Olney Daniel Vanantwerp George Kellogg Solomon Griswold Palmer Grannis Seba A. Parmenter Lester Wallis Moses Chapman. And for the Second Term Edmund Littlefield Micajah Harding Jr ~~John Gardner~~ [sic] Albert Powell James Thurston William Stevenson Isaac Wolgamott Nathan Corwin Samuel Curl [Carl?] Adolphus Walruth Leonard Appleman Adolphus Town Hartwell Coleman Caleb Jesitt John Cronce Norman Session Samuel Parker Andrew Newhouse Jesse Huntsman John M. Brown Ansel Dickinson Jacob Miller Solomon Miller George Thompson James Whitaker

p. 161 Elias S. Swan)
)
vs)
)
Frederick Hamilton) debt on Transcript of a Judgment from a Justice of the peace filed in the Clerks office on the 20th day of August 1834 J. T. Hobbs Clk

Jonathan Gardner)
)
vs)
)
Frederick Hamilton) Debt on transcript of a Judgment from a Justice of the peace Filed in the Clerks office on the 30 day of October 1834 J. T. Hobbs Clk

Luther Newton)
)
vs) debt. on transcript of a Judgment from
)
Norman Session) a Justice of the peace filed in the
Clerks office on the 16th day of July 1835

J. T. Hobbs Clk

pp.
163
164 [Blank]

p. State)
165)
vs) Nov. 1833
)
Ira Leverich)

State)
)
vs) March 1834
)
Droughraugh)

State)
)
vs) March 34 -
)
Crawford)

State)
)
vs) "
)
Huntsman)

Hill)
)
vs) Sept Term 1834
)
Clawson)

O'Ferrell)
)
vs) " [Sept Term 1834] Not paid
)
Thorp)

p. 166

September Term 1835

At a Term of the Lagrange County circuit court began [sic] and held within and for said County at the Court house in the Village of Mongoquonong [sic] on Monday the rwenty first day of September in the year 1835. Present the hon. Luther Newton and Ephraim Seely Associate Judges of said court; also present Joshua T. Hobbs Clerk and John M. Brown Sheriff who now produces in court his commission as such upon which is endorsed an oath to support the constitution of the United States and the constitution of the State of Indiana also an oath of office as perscribed [sic] by Law

John M. Brown Sheriff of Lagrange County now brings into court the following pannel [sic] of grand Jurors summoned by virtue of a Venirie [sic] Facias heretofore issued by the Clerk of this court, to wit ~~John Curl~~ [sic] Ezekeil [sic] Miller who is by the court appointed foreman and sworn as such John Curl Datus Newton Thomas Huff George McElvain John Jewitt Abraham Gage Kensel Kent Marvin M. Curtis and Samuel B. Burnside ten in number and no more of the regular pannel [sic] answering to there [sic] names when called the said sheriff by order of the court now summons and places in

the pannel [sic] the following ~~persons~~ [sic] bystanders to wit Silas Thrailkill George Egnew Daniel Fox Jacob Butts Joseph Newton and Abraham Cole who with the aforesaid ten make sixteen good and lawful men of the county of Lagrange who being empannelled [sic] sworn and charged in the said circuit court to inquire within and for the body of the County of Lagrange return to their room to deliberate under the charge of David

p. 167

September Term 1835

Stevenson a Sworn officer of this court

State of Indiana)
)
vs)
)
Joshua Pennell)

~~Ree--my-docket-fee~~ Rec'd [sic]

Indictment for selling goods without license

Now at this time comes Samuel C. Sample Esquire prosecuting the pleas of the State of Indiana in this behalf and the said Joshua Mennell in his own proper person also comes and being arraigned upon the indictment aforesaid for plea thereto says that he cannot gainsay or deny that he is guilty in manner and form as he therein stands charged. Thereupon the court assess his fine at the sum of fifty cents. It is therefore considered by the court that the said State of Indiana do recover against the said Joshua Pennell the sum of fifty cents as above assessed besides the costs of this prosecution And that he stand committed into the custody of the sheriff untill [sic] said

fine and costs are paid or replevied. Thereupon comes into Open court Wiseman Ford andacknowledges himself replevin bail and security for the said Joshua Pennell for the payment of the said fine and costs and costs to accrue in three months from this date.

Frederick Hamilton and David Stevenson are by the court appointed bailiffs of this court for the present Term -

p. 168

September Term 1835

State of Indiana)
)
vs)
)
Samuel Reynolds)

Rec[d] my docket fee $250 S. C. Sample

Indictment for giving Whiskey to Indians

Now at this time comes Samuel C. Sample Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and being arraigned upon the indictment aforesaid for plea thereto says he is guilty in manner and form as he therein stands charged Thereupon the court assess his fine at the sum of five dollars It is therefore considered by the court that the said State of Indiana do recover against the said Samuel Reynolds the sum of five dollars as above assessed besides the costs of this prosecution and that he stand committed into the custody of the Sheriff untill [sic] said fine and costs are paid or replevied Thereupon comes into Open court John Kromer and acknowledges himself replevin bail and

security for the payment of the said fine and costs and costs to accrue in three months

State of Indiana) Rec[d] my docket fee $250 [2.50]
) S. C. Sample P.A.
vs) Indictment for giving Stiritous[sic]
)
Samuel Reynolds) liquors to Indians

Now at this time comes the ~~State~~ [sic] Samuel C. Sample Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes. And being arraigned upon

p. 169 September Term 1835

the indictment aforesaid for plea thereto says that [he] is guilty in manner and form as he therein stands charged Thereupon the court assess his fine at the sum of five dollars It is therefore considered by the court that the said State of Indiana do recover against the said defendant the sum of five dollars as above assessed besides the costs of this prosecution And that he stand Committed in the custody of the sheriff untill [sic] said fine and costs are paid or replevied

Whereupon comes into open court John Kromer and acknowledges himself replevin bail and security for the said Samuel Reynolds for the payment of said fine and costs and costs to accrue, in three months from this date

State of Indiana)
)
vs)
)
William S. Prentiss)

Rec[d] my docket fee $250
S. C. Sample P.A.

Indictment for violation
of the Estray laws

Now at this time comes Samuel C. Sample Esquire prosecuting the pleas of the State of Indiana in this behalf and the said defendant in his own proper person also comes and for plea thereto says he is guilty in manner and form as he therein Stands charged. Thereupon the court assess his fine at the sum of thirteen dollars

It is therfore [sic] considered by the court that the said State of Indiana do recover against the said defendant the said sum of thirteen dollars besides the costs of this prosecuting and that he

p. 170

September Term 1835

Stand committed into the custody of the sheriff untill [sic] said fine and costs are paid or replevied Thereupon comes into Open court Benjamin Jones and acknowledges himself replevin bail and security for the payment of said fine and costs and costs to accrue in thre [sic] months from this date

State of Indiana)
)
~~Lagrange County~~ [sic])
)
vs)
)
Manoah Hubbard)
)
Nathan McCoy)

Indictment for Affray

Rec[d] my docket fee $250
S. C. Sample P.A.

Now at this time comes ~~the~~ [sic] Samuel

C. Sample Esquire prosecuting the pleas of the State of Indiana in this behalf and the said Manoah Hubbard in his own proper person also comes and being arraigned upon the indictment aforesaid for plea thereto says he is guilty in manner and form as he therein stands charg^{d}. Thereupon the court assess the fine of two dollars

It is therefore considered by the court that the State of Indiana do recover against the said defendant the sum of two dollars as above assessed besides the costs of this prosecution And that the said defendant stand committed in the custody of the sheriff untill [sic] said fine and costs are paid or replevied

Whereupon comes into Open Court Ira Leverich and acknowledges himself replevin bail and security for the payment of the above fine and costs and costs to accrue in three months.

And an Alias Capias is awarded as to the said Nathan McCoy and this cause as to the said Nath an McCoy is continued

p. 171

September Term 1835

An [sic] the court adjourned untill [sic] tomorrow morning nine oclock

Signed on the 22nd day of Sep^{t}. 1835

Luther Newton

Ephraim Seely

Tuesday morning nine oclock September 22nd 1835 - The Court pet pursuant to Adjournment present the same Judges and officers of the court as on yesterday

Samuel Sidner)
)
vs) debt on Appeal
)
Hiram Harding)

Now at this time comes the parties and the plaintiff moves the court to dismiss the appeal in this behalf because there appears to have been no Judgment rendered by the Justice of the peace before whom said appeal was taken which motion ~~of the~~ [sic] is by the court sustain[d] It is therefore considered by the court now here that said Appeal stand dismissed and that the said plaintiff do recover against the said defendant his costs and charges by him in this behalf laid out and expended

State of Indiana)
)
vs) Indictment for Selling Spiritous [sic]
)
David Bowen &) liquors to Indians
)
Meriam [?] Mason)

Now at this time comes S. C. Sample prosecutor in this behalf and moves the court for an alias process which is by the court awarded

p. 172

September Term 1835

State of Indiana)
)
vs) Indictment for Nuissance [sic]
)
Lewis B. Judson)
)
Philip P. Mudget)

Now at this time comes Samuel C. Sample Esquire prosecuting the pleas of the State in this behalf and says he will no further prosecute said indictment. It is therefore considered by the court that the said defendant as to said indictment go hence without day

State of Indiana)
)
vs) Indictment for Nuissance [sic]
)
Daniel Fox)

Now at this [time] comes Samuel C. Sample Esquire prosecuting the pleas of the State of Indiana in this behalf and says he will no further prosecute the said Indictment. It is therefore considered that the said Daniel Fox defendant as to said indictment go hence without day

Walker Carter & C^{o})
)
vs) Assumpsit
)
Houlton & Hughs)

Now at this time comes the parties and by agreement of the parties this cause is continued untill [sic] the next Term of this court

p. 173 September Term 1835

Jacob Carr)
)
vs) Debt on bond
)
Hugh Allison)

Now at this time comes the parties and by agreement of the parties this cause is continued untill [sic] the next Term of this court

Jason Thurston)
)
vs) Trial of right of property on Appeal
)
John Morrow)

Now at this time comes the parties and the defendant moves the Court to dismiss this cause for want of a sufficient affidavit and claim, which motion the court sustain ~~sustain~~ [sic] It is therefore considered by the court that said cause do stand dismissed and that said defendant do recover against the said plaintiff his costs and charges by him about his suit in this behalf expended -

State of Indiana)
)
vs) Indictment for Assault and Battery
)
Joel Leverich)

Now at this time comes the parties and by consent this cause is continued untill [sic] the next Term of this court

James Caldwell is by the court excused from attending as

Juror at the present Term

p. 174

September Term 1835

State of Indiana)
)
vs) Indictment for Assault and Battery.
)
Joel Leverich)

Now at this times [sic] comes the parties and by agreement this cause is continued

State of Indiana)
)
vs) Indictment for Assault and Battery -
)
Joel Leverich)

On motion of prosecuting Attorney this cause is continued -

State of Indiana)
)
vs) ~~Indictment for Assault and Battery~~ - [sic]
)
Joel Leverich)

Personally appeared in Open Court James Leverich and acknowledges himself to owe and be indibted unto the State of Indiana in the sum of seventy five dollars to be levied of his goods and chattels lands and tenements if default be made in the following condition to wit, which condition is that Joel Leverich be and appear before the Judges of the Lagrange Circuit court on the first day of the nexy Term thereof to Answer unto the State of Indiana on three several indictments for assault and battery and abide the

Judgment of the court on the same severally and not depart the court without leave thereof then this recognizance to be void otherwise to remain in full force and virtue in law

p. 175

September Term 1835

State of Indiana)
)
vs)
)
William P. Bromley)

On Motion to enter a ~~Indictment for Forgery~~ [sic] forfeiture of Recognizance

And now at this day Comes J. A. Liston the Attorney specially appointed to prosecute the pleas of the State of Indiana in this behalf and the said William P. Bromley being three times solemnly called, and required to appear and defend the said Indictment & in discharge of his recognizance but comes now & herein wholly makes default, and thereupon the said State of Indiana by her said Attorney ~~by her~~ [sic] now moves the court to enter a forfeiture of the Recognizance of the said defendant heretofore taken at the September term in the year 1834 (here insert the said Recognizance) which said motion the ~~said~~ [sic] Court now overrules to which opinion of the Court the said State by her Counsel excepts: And afterwards on motion of the said prosecuting Attorney ~~now here moves~~ [sic] the Court ~~te~~ [sic] now awards an Alias process against the body of the said defendant returnable at the first day of the next Term of this Court, and that the defendant be required to enter into a recognizance in the

sum of two hundred dollars with good & sufficient surety in the like sum & this cause is continued

p. 176

September Term 1835

State of Indiana)
)
vs) On Motion to enter a forfeiture
)
John Huntsman) of Recognizance

Now comes Jonathan A. Liston Special prosecuting Attorney in this behalf and the said John Huntsman being three times called and required to bring in the body of William P. Bromley in discharge of his said Recognizance, comes not but makes default, and the said prosecuting Attorney now here moves the Court to enter up a forfeiture of the said recognizance taken at the September term in the year 1834, which said motion the Court now here overrules & refuses to order an entry of said forfeiture, to which said opinion of the Court the said prosecuting Attorney excepts

State of Indiana)
)
vs) [sic]
)
Garrit Vanantwerp)

It is ordered by the Court that an attachment issue against the body of Garit Banantwerp returnable at the next term of this Court for a contempt in purposely & wilfully avoiding the process of this Court, & that he be required to enter into a Recognizance with one sufficient

surety in the sum of fifty dollars each, for his appearance at

p. 177 September Term 1835

the next Term of this Court, and not to depart thence without the leave of the Court

Mark Rennison)
)
vs) On Appeal
)
Robert Latta)

Now at this day here comes the said plaintiff by Sample & Colerich his Attorneys & the said defendant by Liston his Counsel comes also, and on motion of the said defendant a rule is granted against William McConnel Esqr. the Justice of the peace before whom the above entitled cause was originally tried, to Certify up to this Court a full and perfect transcript of the Judgment & proceedings had before him in the above entitled Cause, as well as to certify the same under his hand & seal according to the provisions of the Statute in such Case made & provided, & that he file the said amended transcript in the Clerks office of this Court at least sixty days prior to the first day of the next Term: And it is further ordered that the Clerk of this Court make out a Copy of this order under the seal of the Court directed to the sheriff whose duty it shall be to serve the same on the said Justice, within thirty days after the adjournment of this Term of the Court & this Cause is continued & day is given

p. 178

Sept. Term 1835

Joshua Pennell)
)
vs) Case
)
William Gale)

Now come the parties aforesaid by their Counsel and the defendant noves the Court to be discharged upon Common bail and an exoneratio [sic] entered upon the recognizance of bail in this behalf because of the insufficiency of the affidavit upon which bail was ~~ordered~~ [sic] required of the said defendant, which motion the court sustain and discharge the said defendant upon common bail and it is ordered by the court that the recognizance of bail in this behalf be & the same is hereby quashed & that the said ~~William~~ [sic] Thomas Gale the bail of the said defendant be & he is hereby exonerated & discharged from all liability growing out of his entering into said recognizance of bail for said defendant & day is given the parties -

State of Indiana)
)
for the use of)
)
Luke Diggins)
)
vs) Debt on penal Bond
)
Jesse Harding)
)
Micajah Harding &)
)
Nehemiah Chase)

Now at this day comes the said relator

Luke Diggins by Howe his Attorney & the said defendants by Liston their Counsel come also, and the said defendants now here move the court to quash the Capias-ad-respondendum heretofore issued in the above entitled cause, on the ground that the said relator had not indor-

p. 179

September Term 1835

sed the said writ according to the statute in such case made & provided, & also as another ground for said motion - towit the said writ was indorsed for bail (the said suit being founded on a writing obligatory) and the sum or amount contained in such writing obigatory [sic], not being indorsed or contained in the body of said writ, which said motion is by the court here sustained, and it is ordered that the said writ be quashed set aside & he[l]d for nought, and that the said defendants be discharged as to said writ therefrom & ~~that they go hence without day~~ [sic], and that Micajah Harding junior the special bail of the said defendants be & he is hereby exonerated from all liability as such special bail of the said defendant in the above entitled cause. And it is ordered by the court that the said Luke Diggins the relator in the above entitled cause do pay the costs of this writ in sixty days in this behalf laid out & expended, & this cause is continued &c

Ira Leverich)
)
vs) Trespass
)
Micajah Harding sen. &)
)
Jesse Harding)

Now at this day comes the parties by their counsel and the defendants now here file their

p. 180 September Term 1835

general Demurrer to the said plaintiffs declaration (here insert it) to which said demurrer the said plaintiff now here files his joinder, & day is given the parties

The Matter of Loly Durand: At the Lagrange Circuit Court begun and held at Court house in the town of Lima within and for the County of Lagrange in the State of Indiana on the twenty first day of September in the year of our Lord one thousand eight hundred and thirty five by and before the Honorable Luther Newton and Ephrain Seely Esquires Associate Judges (the Honorable Gustavus A. Evertt the president Judge of said Court being absent), among other proceedings were had, viz, In the Case of Andrew Durand Deceased: This day it was satisfactorily proven to the Court in open session that Andrew Durand of said County and late of Benton in the County of Geauga [?] and State of Ohio died on the twentieth day of September A. D. 1834 and that Loly Durand was the wife of the said Andrew Durand at the time of his

death and is now his widdow [sic] surviving him and that the said Andrew Durand was a pensioner of the United States

And the Court ordered that a certificate of this Journal Entry be certified under the seal of the Court to enable the said Loly

p. 181

September Term 1835

Durand to obtain whatever ballance [sic] be due her as the widow of the said Andrew Durand on account of said pension

And the Court adjourned until tomorrow morning at 9 Oclock.

(Luther Newton
(
Signed 23d Sep. 1835 (
(
(Ephraim Seely

Wednesday morning nine oclock September 23rd. 1835 presant [sic] the same Judges and fficers of the court as on yesterday -

The grand Jury now comes in to court and return sundry vills of indictments endorsed by their their [sic] foreman as true bills and ~~having no further business before them are by the court discharged.~~ [sic] also make to the court the following report of the condition of the County prison towit:

State of Indiana)
)
Lagrange County) In the Lagrange Circuit Court

September Term 1835

The grand Jurors impannelled [sic] sworn and charged in the Lagrange Circuit Court to enquire within and for the body of the county of Said County upon thir [sic] oaths say that they have enquired into the State of the prison of said county that they find the same totally insufficient in point of strength for the detention of prisoners and find it also in a very filthy and unhealthy condition

(Signed) Ezekiel Miller foreman
grand Jury

p. 182

September Term 1835

And it is ordered by the court that the Clerk of this court certify a copy of said Report to the board of County Commissioners at their next Session And it is ordered by the court that said Commissioners cause said prison to be repaired and place the same in a condition to safely keep & detain prisoners

It is ordered by the court that writs of Capias ad respondendum do issue on all indictment found at the present Term of this court & in all cases of bartering spirits to indians [sic] the said writs ~~defendants~~ [sic] shall be ordered [?] for bail in the Sum of fifty dollas [sic] and in all other cases twenty five dollars with security in the like sum

Stephen
~~Samuel~~ [sic] W. Thrusdell)
)
vs)
)
Geo D. Parmetier) In Replevin

On motion of counsel for Defendant on this morning predicated on an affidavit that the said Thrusdell was not a resident of this state a rule was taken against the said Thursdell to shew cause on or before the ~~calling~~ [sic] meeting of the court in the afternoon, why the said suit should not be dismissed for the want of a bond for costs and ~~new~~ [sic] the said pltf not having [?!] been filed bond this suit is dismissed. It is therefore considered by the court that the said George D. Parmetier recover from the said ~~Samuel~~ [sic] Stephen W. Thrusdell the costs and charges by him said Parmetier in this suit laid out & expended &c

p.
183 All suits plaints & prosecutions not otherwise disposed of are continued

Judges Seely & Newton are allowed $6.00 each for services at this term & David Stevenson & ~~Robert~~ [sic] Frederick Hamilton three Dollars each for services as bailiffs of this term

The Pettit [sic] Jury are discharged

And the Court adjourned until Court in Course

Luther Newton

Ephraim Seely

3122 1

Eckhart Public Library

603 S. Jackson Street Auburn, IN 46706
Phone: 219-925-2414

Patron is responsible for all
material borrowed.

ECKHART PUBLIC LIB.
8401 9100 072 239 9